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Security Council

Fifty-second Year

Provisional

3745th Meeting

Wednesday, 5 March 1997, 3.50 p.m.

New York

President:	Mr. Wlosowicz	(Poland)
Members:	Chile	Mr. Somavía
	China	Mr. Qin Huasun
	Costa Rica	Mr. Berrocal Soto
	Egypt	Mr. Elaraby
	France	Mr. Ladsous
	Guinea-Bissau	Mr. Cabral
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Republic of Korea	Mr. Park
	Russian Federation	Mr. Lavrov
	Sweden	Mr. Osvald
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Richardson

Agenda

The situation in the occupied Arab territories

97-85191 (E)

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The meeting was called to order at 3.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the occupied Arab territories

The President: I should like to inform the Council that I have received letters from the representatives of Afghanistan, Algeria, Argentina, Bahrain, Bangladesh, Brazil, Canada, Colombia, Cuba, Indonesia, the Islamic Republic of Iran, Israel, Jordan, Kuwait, Lebanon, Malaysia, Morocco, the Netherlands, Norway, Oman, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey, the United Arab Emirates and Yemen, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Peleg (Israel) took a seat at the Council table; Mr. Farhadi (Afghanistan), Mr. Baali (Algeria), Mr. Petrella (Argentina), Mr. Buallai (Bahrain), Mr. Chowdhury (Bangladesh), Mr. Amorim (Brazil), Mr. Karsgaard (Canada), Mr. García (Colombia), Mr. Nuñez Mosquera (Cuba), Mr. Wisnumurti (Indonesia), Mr. Kharrazi (Islamic Republic of Iran), Mr. Abu-Nimah (Jordan), Mr. Abulhasan (Kuwait), Mr. Moubarak (Lebanon), Mr. Hasmy (Malaysia), Mr. Snoussi (Morocco), Mr. Berteling (Netherlands), Mr. Biørn Lian (Norway), Mr. Al-Khussaiby (Oman), Mr. Kamal (Pakistan), Mr. Al Khalifa (Qatar), Mr. Al-Ahmed (Saudi Arabia), Mr. Erwa (Sudan), Mr. Wehbe (Syrian Arab Republic), Mr. Abdellah (Tunisia), Mr. Çelem (Turkey), Mr. Samhan (United Arab Emirates) and Mr. Al-Ashtal (Yemen) took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 3 March 1997 from the Permanent Observer of Palestine to the United Nations, which will be issued as a document of the Security Council under the symbol S/1997/194 and reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite Dr. Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, to participate in the current debate of the Security Council with regard to the situation in the occupied Palestinian territory, including Jerusalem."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to the United Nations to participate in the current debate in accordance with the rules of procedure and previous practice in this regard.

There being on objection, it is so decided.

At the invitation of the President, Mr. Al-Kidwa (Palestine) took a seat at the Council table.

The President: I should like to inform the Council that I have received a letter dated 3 March 1997 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

> "In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to request that I be invited to participate in the debate on the situation in the occupied Arab territories, under rule 39 of the provisional rules of procedure of the Security Council."

On previous occasions, the Security Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Ibra Deguène Ka.

There being no objection, it is so decided.

I should like to inform the Council that I have received a letter dated 5 March 1997 from the Permanent Representative of Indonesia to the United Nations, which reads as follows:

> "I have the honour to request that the Security Council extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Ambassador Engin A. Ansay, Permanent Observer

of the Organization of the Islamic Conference to the United Nations, during the Council's discussion of the item entitled 'The situation in the occupied Arab territories'."

This letter will be issued as a document of the Security Council under the symbol S/1997/196. If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Engin A. Ansay.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations, at the request of Egypt under rule 2 of the Council's provisional rules of procedure.

I should like to draw the attention of the members of the Council to the following documents: S/1997/149 and S/1997/157, letters dated 21 and 25 February 1997, respectively, from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council; S/1997/165, letter dated 27 February 1997 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council; S/1997/172, letter dated 28 February 1997 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the President of the Security Council; S/1997/175, letter dated 3 March 1997 from the Permanent Representative of Qatar to the United Nations addressed to the President of the Security Council; S/1997/177, letter dated 3 March 1997 from the Chargé d'affaires *ad interim* of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General; S/1997/181, letter dated 28 February 1997 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General, transmitting the text of the declaration by the Presidency on behalf of the European Union on the decision of the Israeli Government to approve construction plans for Har Homa/Jabal Abu Ghneim; and S/1997/182, identical letters dated 3 March 1997 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General and to the President of the Security Council.

The President: The first speaker is the representative of Palestine. I invite him to take a place at the Council table and to make his statement.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): Allow me first to congratulate you, Sir, on your assumption of the presidency of the Council for this month. I wish you every success in your work. Allow me also to extend my thanks to your predecessor, the Permanent Representative of Kenya, for his excellent work, in particular with regard to the item under consideration today. I would also like to take the opportunity to express our deep appreciation to all the members of the Security Council, and in particular to the Ambassador of Egypt, for the valuable meeting that we held this morning with President Yasser Arafat.

The Government of Israel, the occupying Power, decided on 26 February 1997 to build a new colonial settlement in the area of Jabal Abu Ghniem in the occupied Palestinian territories. This area is situated within the territory which Israel annexed and considers part of the extended municipal boundaries of the city of Jerusalem. This decision is illegal and in blatant violation of international humanitarian law and relevant Security Council resolutions. It provides for the building of 6,500 housing units on land that was confiscated in 1991 and 1992. This decision, which will bring approximately 25,000 new Israeli settlers into the area, will isolate areas of Arab Jerusalem from the southern part of the West Bank in pursuit of a long standing Israeli plan to build settlements around those Arab neighbourhoods and to completely isolate them from the rest of the West Bank, thus creating new facts on the ground. The Israeli Government took this decision despite the efforts of the Palestinian side to prevent it and in disregard of the advice of a number of its friends, as well as in flagrant defiance of this Council, which sought to avert the taking of such a decision and avoid its great inherent dangers.

This Israeli measure follows a series of others regarding Jerusalem that constitute a clear policy aimed at the Judaization of the city of Jerusalem and at changing its legal status and its demographic composition. These measures have included the destruction of a building belonging to an Arab association in the Old City in an attempt to confiscate the land beneath it. We raised this matter in our letter to the President of the Security Council of 27 August 1996, contained in document S/1996/699. On 23 September 1996 the Israeli authorities also opened the entrance to the tunnel in the vicinity of Al-Haram Al-Sharif, creating further changes in the nature of the city. In this instance, Israel refused, as usual, to abide by the Council's resolution 1073 (1996), which, in its first operative paragraph, called for

> "the immediate cessation and reversal of all acts which have resulted in the aggravation of the

situation, and which have negative implications for the Middle East peace process." *(res. 1073 (1996), para. 1)*

This resolution has yet to be implemented.

The Israeli Government also declared, during the second week of December 1996, its intention to implement a plan for the building of a colonial settlement composed of more than 132 housing units for Jewish settlers in the heart of East Jerusalem. If implemented, this plan would place the new colonial settlement inside the original and recognized frontiers of East Jerusalem in the populated Arab quarter of Ras al-Amud, which would also overlook Al-Haram Al-Sharif and the Al-Aqsa Mosque.

The Israeli authorities are also continuing to deprive the Palestinian inhabitants of Jerusalem of their natural and inherited right to live in their city as did their ancestors. Israel treats them like foreigners and has pursued all kinds of illegal manoeuvers and measures to deprive them of their right of residence. This includes, for example, its attempts to enforce this measure on all who are living temporarily outside Jerusalem or who have acquired a second citizenship.

Furthermore, Israel has long enforced the isolation of East Jerusalem from the rest of the occupied Palestinian territories and kept the Palestinian people out of the city, despite the fact that it is their economic, cultural and religious centre. This constitutes yet another Israeli attempt to impose a de facto situation with regard to Jerusalem. It is a blatant violation of the rights of the Palestinian people and defies the will of the international community.

All of these actions represent flagrant violations of several Security Council resolutions on the question of Jerusalem, which is of central importance to the Palestinian people, the Arab world and Islamic Ummah. Jerusalem was the first *Qiblah* and is the third Holy Sanctuary; it is of great importance to the followers of the three heavenly religions and to the whole international community. The Security Council's relevant resolutions, including resolutions 252 (1968), 271 (1969), 298 (1971), 478 (1980) and 672 (1990), clearly affirm that any action or measure taken by Israel to alter the legal status and the demographic composition of the city is null and void and has no legal validity. These resolutions also call upon Israel to cease all such actions and measures. The international community has categorically rejected Israel's positions on Jerusalem and has always affirmed that East Jerusalem is part of the territories occupied since 1967. Furthermore, it has never recognized Israeli sovereignty over West Jerusalem. We call upon the international community to defend and uphold its decision and to compel Israel to cease ignoring these decisions and violating international law.

The Israeli violations in Jerusalem come in the context of the resumption by this Israeli Government of its colonial settlement campaign in the occupied Palestinian territories. The Government has taken a number of decisions and actions resulting in actual construction in many places. In several letters addressed to the Council, we have drawn attention to this matter and to the extremely dangerous situation it produces. Once again, this general Israeli policy, which has been confirmed by the guidelines of the present Israeli Government, clearly and grossly violates the Fourth Geneva Convention of 1949, which this Council has repeatedly validated in many of its resolutions — 24, to be exact — reaffirming its applicability to all territories occupied since 1967, including Jerusalem. The policy also violates several Security Council resolutions dealing specifically with settlements, including resolutions 446 (1979), 452 (1979) and 465 (1980). We once again reaffirm the illegality of the colonial settlements and reject any attempt by the Israeli Government to make a distinction between old and new settlements. We also reject all the ramifications of the new construction, including Israel's confiscation of additional land, the establishment of bypass roads, the theft of water and the confiscation of our natural resources.

The historical shift that followed the signing of the Declaration of Principles in 1993 and of the Interim Agreement on the West Bank and Gaza Strip in 1995 between the Government of Israel and the Palestine Liberation Organization has resulted in positive changes in the Middle East region. The benefits of peace began to appear on the horizon for the peoples of the Middle East in particular, and for the whole world in general. Unfortunately, this Israeli Government began to pursue policies that ran counter to the spirit and the logic of the peace process and began to take decisions and actions that were in gross violation of the agreements reached. Such policies, measures and actions are aimed at continuing to alter the situation and the status of the city of Jerusalem and to continue the colonial-settlement campaign in the occupied territories. It was agreed in the Declaration of Principles that the issue of Jerusalem and the settlements, *inter alia*, would be negotiated in the final stage. This naturally implies that all parties should create no new facts on the ground that would pre-empt the negotiations and render them useless. If the peace process is to

continue and succeed, these Israeli policies and actions cannot continue; such policies and actions would guarantee the destruction of the peace process.

The Government of Israel must understand that it is impossible to return to its the practices and behaviour of occupation without creating dangerous repercussions. It must also understand that it is impossible to continue occupying and confiscating land and to pursue the peace process at the same time, and that it is impossible to occupy and claim sole ownership of the city of Jerusalem if it is to establish and maintain peaceful and natural relations with its neighbours and the world. The city of Jerusalem does not accept Israel's exclusive ownership, and there will be no peace in the region without the attainment of Palestinian and Arab rights in the Holy City.

The General Assembly ended the deliberations of its fifty-first session with a clear position regarding all issues related to the question of Palestine and the situation in the Middle East, including Jerusalem and the question of settlements. The General Assembly adopted 19 resolutions on Palestine by an overwhelming majority, which is a genuine reflection of the position of the international community. We believe that the Security Council must take this into consideration.

Israel, the occupying Power, must cease construction on the colonial settlement in Jabal Abu Ghneim and promptly cease all settlement activities and confiscation of land, as well as any actions that would change the facts on the ground, especially in occupied East Jerusalem. Further, we believe that the Security Council must take the necessary action by adopting a clear resolution in order to guarantee respect for its relevant resolutions and for international law and to save the peace process. Such goals fall within the Council's responsibility to preserve international peace and security, in accordance with the provisions of the United Nations Charter. Since the start of the peace process, in accordance with its duties and responsibilities, the Security Council has intervened on several occasions to save this process and provide clear support to its sponsors. We appreciate the Council's position and hope that it will be able to play this role once again. We look forward to the establishment of a just, comprehensive and lasting peace in the Middle East region. When that comes about, we will all be able to stop coming to this Council to discuss this issue and to request that actions be taken.

The President: I thank the Permanent Observer of Palestine to the United Nations for his kind words addressed to me.

The next speaker is the representative of Israel, on whom I now call.

Mr. Peleg (Israel): At the outset, I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. I would also like to congratulate your predecessor, Ambassador Mahugu of Kenya, for the very able manner in which he conducted the affairs of the Council.

Jerusalem has been the capital of the State of Israel since its rebirth in 1948 and the seat of Jewish Government since King David established it as the centre of Jewish national life some 3,000 years ago. Jerusalem's centrality to Judaism transcends geographical boundaries. Three times a day, Jews at prayer around the world turn to face Jerusalem. For 3,000 years, the thoughts, hopes and prayers of the entire Jewish people have been focused on Jerusalem. Indeed, the Bible mentions the name Jerusalem 657 times.

Jerusalem is a city comprising many different religious groups and has been a source of inspiration for Christians and Muslims around the world.

I am a native of Jerusalem. I am of the generation that remembers the divided Jerusalem that existed prior to 1967. I remember the walls, and I remember the barbed wire that divided my home city. Since 1967, I am proud to say, Jerusalem has been reunited; it is an open city where freedom of worship is extended to all faiths.

Jerusalem today is Israel's largest city, home to 578,000 residents. Of these, 411,900, or 71.2 per cent, are Jewish and 166,900, or 28.2 per cent, are non-Jewish. Since 1984, Jerusalem's population has grown 30 per cent, and estimates show that by the year 2000, Jerusalem's population will be greater than 650,000.

Jerusalem is a vibrant, vital city where old sits astride new and the modern and traditional worlds converge. Jerusalem, like any other modern city, has specific needs, such as development and modernization, and municipal services must be extended to all its citizens.

On 26 February this year, the Government of Israel unanimously approved construction in Har Homa and in

10 predominantly Arab neighbourhoods throughout Jerusalem. The new neighbourhood of Har Homa will eventually consist of 6,500 housing units, 2,500 of which will be built during the first stage of construction. The neighbourhood will be located in an unpopulated area in southern Jerusalem, within the city's municipal boundaries. Seventy-five per cent of the land necessary for the Har Homa project is owned by individual Jews.

This project is an essential part of a comprehensive municipal plan to construct 20,000 new housing units for the city's Jewish residents and 8,500 for the city's Arab residents — a ratio comparable to that of the Jewish and Arab populations in the city. Concurrent with the construction of Har Homa, infrastructure work designed to construct 3,000 housing units in 10 predominantly Arab neighbourhoods in the city will begin. This construction will take place in Beit Safafa, Arav a-Swakharra, Jebel Mukhbar, Silwan, Ras al-Amud, Abu Tor, A-Tor, Asaviya, Aswani and A-Sheikh.

The purpose of this comprehensive project is to alleviate the shortage of housing for both Jewish and Arab residents of Jerusalem. Allow me to quote the Prime Minister of Israel, Mr. Benjamin Netanyahu, who said,

> "We are as committed to the Arab residents of Jerusalem as we are to providing for the Jewish residents. They, too, need housing and we will build, adapting the building plans to the needs of both populations."

Regrettably, some speakers fail to differentiate between the issue of Jerusalem and its neighbourhoods and the issue of settlements in the West Bank and the Gaza Strip. Both of these issues are to be negotiated separately — I repeat, separately — within the context of the permanent status negotiations.

The coming years will be crucial ones for the Arab-Israeli peace process. During this time, it is upon the international community to exhibit restraint, understanding and trust in the determination of Israel and its neighbours to advance the peace process. Moreover, the international community must avoid damaging the sensitive negotiations by predetermining and prejudging their outcome.

I regret that once again the Security Council sees fit to discuss issues of contention between Israel and the Palestinians. The very appeal by the Palestine Liberation Organization (PLO) to the Security Council is inconsistent with its explicit agreement to settle all issues under dispute through negotiations. This commitment is outlined by PLO Chairman Yasser Arafat in his letter to the late Prime Minister of Israel, Yitzhak Rabin, dated 9 September 1993. The Chairman wrote that

> "the PLO commits itself to the Middle East peace process and to a peaceful resolution of the conflict between the two sides and declares that all outstanding issues relating to the permanent status will be resolved through negotiations."

This commitment is reiterated in both the Declaration of Principles of 13 September 1993 and the Interim Agreement of 28 September 1995, which refer issues under dispute to the appropriate mechanisms of coordination, cooperation and conciliation between the parties without the involvement of outside parties.

Israel and the Palestinians are currently making progress in the process of negotiation and reconciliation. The peace process, based on the principle of reciprocity, has thus far succeeded in establishing a new *modus vivendi* between our two peoples. The most recent expression of this peace process was the Hebron protocol and the establishment of timetables for the resumption of negotiation of the permanent status and the further redeployment of Israel's defence forces in the West Bank.

In the agreement between the two sides, Israel and the Palestinians agreed that the Palestinian autonomy authorities have no powers or responsibility in Jerusalem. Accordingly, their offices and institutions are to be located only in those areas in which the Palestinian autonomy enjoys territorial authority — namely, outside Jerusalem. It was explicitly agreed that the authority of the Palestinian autonomy would extend over the West Bank and Gaza, to the exclusion of those issues to be discussed in the permanent status negotiations, including Jerusalem.

In agreeing that the issue of Jerusalem is to be part of the permanent status negotiations, the parties recognized Jerusalem as a separate issue which does not constitute a part of the agreed arrangement for redeployment and transfer of authorities in the West Bank and the Gaza Strip. Life in Jerusalem, and all this entails, continues, with the status of the city remaining unchanged so long as no decision to the contrary is taken in the permanent status negotiations.

Therefore, the approval of building plans within Jerusalem, or the implementation of any construction

work, does not constitute a change in the status of Jerusalem; neither does it create a situation which can adversely affect or influence the permanent status negotiations. In any event, the existing agreements do not accord the Palestinians any standing with regard to any actions taken in Jerusalem, and Israel is under no obligation to coordinate such actions with them or to consult with them.

Jerusalem is currently in the midst of an unprecedented surge of planning and development, addressing the needs of all the city's residents. The Government of Israel is committed to the continued development and growth of Jerusalem for the benefit of all of its residents.

It is written in the Book of Zechariah,

> "Thus saith the Lord: I am returned unto Zion and will dwell in the midst of Jerusalem ... There shall yet old men and old women dwell in the streets of Jerusalem ... And the streets of the city shall be full of boys and girls playing in the streets thereof." (*The Holy Bible, Zechariah 8:3-5*)

Let us turn this prophecy into a reality.

The President: I thank the representative of Israel for his kind words addressed to me.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): At the outset, it gives me great pleasure to congratulate you, Sir, on your assumption of the presidency of the Council. I am confident that you will conduct the work of the Council with great wisdom and professionalism. I would also like to extend to the Permanent Representative of Kenya our thanks for what he achieved last month.

The Security Council is seized today of a very important question related to the future of the peace process in the Middle East. Israeli settlement activity constitutes one of the most complicated questions in the Arab-Israeli conflict. It becomes more sensitive and complicated when it relates to the city of Al-Quds Al-Sharif — Jerusalem — which has a unique political status and represents the spiritual patrimony of three religions and is closely linked to deep religious feelings in the Islamic world.

The decision adopted by the Israeli Government on 26 February to build housing units in Jabal Abu Ghneim in East Jerusalem should be discussed within the context of past Security Council positions and resolutions. The delegation of Egypt would like to recall the Security Council meeting held on 12 May 1995, during which it discussed Israel's confiscation of Arab lands in East Jerusalem, lands adjacent to those on which the Israeli Government has decided to build housing units in Jabal Abu Ghneim.

While the previous Israeli Government responded positively to the will of the international community after its expression of concern for the peace process, and did not take the steps it had intended to take concerning the confiscation of these lands, unfortunately, to the contrary, the present Israeli Government did not hesitate to decide to confiscate lands without any regard for the repercussions of such a decision on the peace process.

The international community, as represented in the organs of the United Nations, has more than once stood up very decisively to the illegitimate Israeli measures aimed at annexing East Jerusalem, whether by changing the legal status of the city, by changing its demographic composition or even by changing its geographical nature. These attempts by Israel should not obscure the following facts.

The first fact is that the city of East Jerusalem, like all other lands and towns in the West Bank and the Gaza Strip, is part and parcel of these lands. These lands were acquired by Israel by force in the war of 1967. Such an occupation does not acquire any legality with the passage of time. According to international law, lands that have been occupied by force have to be vacated. The international community should not recognize such an occupation, but should rather apply the principles and doctrines for which the foundations were laid long ago.

The second fact is that those Arab lands, including East Jerusalem, are governed by the Hague Rules of 1907 and the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War. This has been confirmed by the General Assembly in all its relevant resolutions, the last of which related to the applicability of the Geneva Convention to occupied Arab lands and was adopted during the last session of the General Assembly. This makes it necessary for Israel, being the occupying Power, not to undertake any change in these lands.

The third fact is that the Security Council has adopted many resolutions calling upon Israel to respect its obligations as the occupying Power. The representative of Palestine referred to them: resolutions 252 (1968), 271

(1969), 476 (1980), and 672 (1990). The most important of this set of resolutions is resolution 478 (1980), which states that

> "all legislative and administrative measures and actions taken by Israel, the occupying Power, which have altered or purport to alter the character and status of the Holy City of Jerusalem, and in particular the recent 'basic law' on Jerusalem, are null and void". *(resolution 478 (1980), para. 3).*

Respect for Security Council resolutions on the question of Jerusalem represents one of the basic requirements for the success of the peace process in the Middle East. There is no doubt that any disregard for the position of the international community on this sensitive question would deal an abortive blow to the peace process and bring it to a sad end. As the Council knows, many parties, including large sectors of the Israeli population, have made great efforts for it to succeed. Nor is there any doubt that if the Council is silent about this, certain questions will be raised concerning its resolutions.

The fourth fact is the bilateral agreements signed by Israel and the Palestinian National Authority and the implementation protocols make it binding on both parts not to take any measures that deal an abortive blow or prejudge the results of the negotiations on the questions of final status, which as we know include Jerusalem, refugees, settlements, borders and security arrangements. There is a clear, uncontroversial text contained in chapter five of the Interim Agreement signed by both the Palestinian and Israeli parties in Washington in September 1995:

(spoke in English)

> "Neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations." *(Interim Agreement on the West Bank and the Gaza Strip, article XXXI, para. 7)*

(spoke in Arabic)

This text represents a restriction accepted by Israel, and Israel must abide by this restriction that prevents Israel from undertaking any change — I repeat, any change — in the occupied Arab territories, including East Jerusalem.

Pacta sunt servandam — respect for contractual obligations: this is the basis of the current world order. Respect for that principle means, as set out in article 26 of the Vienna Convention on the Law of Treaties, that

> "every treaty in force is binding upon the parties to it and must be performed by them in good faith". *(United Nations Treaty Series, vol. 1155)*

All parties, including the Security Council, must take that legal principle into consideration when addressing this very important question. Any violation of that principle anywhere in the world, and in relation to any conflict, reduces the credibility of the party that violates it, and creates loopholes that undermine the international order.

The Security Council, under its Charter obligations, must therefore stand against any attempt to avoid international obligations, particularly when such an attempt has a direct effect on the maintenance of international peace.

Israel must cease its policy of building settlements. Apart from its being a violation of international law, this policy can only strengthen extremism and confrontation and weaken those who support moderation and dialogue. Countries concerned with the success of the peace process — in particular the United States of America, whose great efforts as a sponsor of the peace process are recognized by all — must shoulder their responsibility to point out to the Government of Israel the extremely negative effects of its policies. Israel should not implement this policy, in order to show that it is serious about the peace process and about not allowing that process to fail.

Egypt hopes that the Security Council will be able today to adopt whatever decision is necessary to protect peace in the Middle East, which is directly threatened by these Israeli measures. This relates to the Council's position on Israeli policy in the occupied Arab territories in general, and in East Jerusalem in particular.

The President: I thank the representative of Egypt for the kind words he addressed to me.

Mr. Ladsous (France) (*interpretation from French*): The Security Council is meeting, as it has done several times over the past 12 months, to discuss a situation that endangers the Middle East peace process, and to reaffirm its wish for that process to continue on the basis of the agreements entered into by the parties.

The implementation of the Oslo agreement made it possible to establish a lasting peace between Israelis and Palestinians. Only a short time ago, that goal might have seemed unreachable. Thanks to the determination and will of a few individuals, dialogue and negotiation have overtaken violence and confrontation. One of those statesman, a Prime Minister of Israel, Yitzhak Rabin, paid for his commitment to peace with his life. Unfortunately, there have been other victims on both sides in the violence of recent months. This shows that the path to peace is a tortuous one, a chaotic one; it shows too how essential it is that no action or decision jeopardize this process, a process which virtually all the States of the world support.

In our view, the Israeli Government decision to authorize the establishment of a new settlement at Jabal Abu Gneim is not a step in the right direction. As we, along with our European Union partners, have said, we deeply deplore that decision, which runs counter to international law and to guarantees that have been given. While the signing of the Hebron agreement gave us hope that the peace process would regain its momentum, this decision creates new tensions on the ground and could undermine the trust which must exist between the parties and which is indispensable. In any negotiating process, it is not good for an agreement — which constitutes progress — to be followed by a retrograde measure.

The question of Jerusalem, a holy city that is sacred to three major religious, is clearly a particularly sensitive one. In the context of the peace process, the parties agreed to negotiate its status. Negotiations cannot accommodate unilateral decisions; they cannot accommodate decisions that prejudge the outcome of the discussions; nor can they accommodate decisions that alter the status quo.

Until the parties come to an agreement, East Jerusalem remains subject to the principles set out in resolution 242 (1967), including the principle of the inadmissibility of the acquisition of territory by force. Moreover, we recall that the Fourth Geneva Convention is applicable here, as well as with respect to the other occupied territories.

We therefore urge all parties to the peace process to do nothing that could complicate or slow down the process. In the present case, we earnestly hope that the Israeli authorities will understand that it is in the interest of all to abandon the planned construction and to focus entirely on the success of the forthcoming phases: the initial redeployment of Israeli forces and specific negotiations between the parties on the many issues that remain to be resolved.

Sir John Weston (United Kingdom): The international community has had to address itself to the situation in the occupied Arab territories on three occasions in recent months: the demolition of the Burj al Laqlaq centre in August 1996, the opening of the Western Wall tunnel in September, and now the announcement of the plan to undertake the construction of new housing units in the Har Homa/Jabel Abu Ghneim area of East Jerusalem. Of course, we have also witnessed many encouraging developments over the same period, notably the signature of the Hebron agreement. Nevertheless, it is worrying that we have been forced to revisit this subject so often since last summer, and in response to what appear to be increasingly serious incidents.

The issue of settlements has become central to the whole Middle East peace process. For this reason, my delegation feels it is important to reaffirm our positions of principle on settlements, positions which are endorsed by almost the entire international community. Two facts stand out: first, as the British Foreign Secretary, Malcolm Rifkind, made clear during a visit to Hebron on 3 November last year, all Israeli settlements in occupied territory are illegal under Article 49 of the Fourth Geneva Convention. This includes settlements in East Jerusalem. Secondly, settlement activities damage the peace process. Not only do they violate the spirit of the Oslo accords and the Hebron agreement, they establish facts on the ground which prejudge the final status negotiations. In particular, we cannot condone actions which unashamedly change the status of Jerusalem ahead of those negotiations.

The United Kingdom, along with the vast majority of the international community, warmly welcomed the recent agreement reached between the two parties over withdrawal from Hebron. We hoped and believed that it represented a new impetus for peace. Now the Har Homa decision risks destroying the positive atmosphere created by the Hebron agreement. Whatever Israel's position on Jerusalem, it is not in Israel's interests to set back the Palestinian track in this way.

We are struck by the wide degree of consensus across the whole international community following the Israeli decision to approve constructions at Har Homa. The shared sense of dismay ought send a clear message to the Israeli Government to rethink where its current course is heading.

We have urged the Palestinian Authority to do what it can to contain reactions among its people. The strength

of Palestinian feeling on this issue is understandable, but these feelings must be expressed peacefully and responsibly. We commend them for the restraint they have shown. Reciprocity, to which the Israeli Government attaches such great importance, should argue for equal restraint on their part in taking any action which will inflame the situation. Further provocative actions at this time, such as the closure of Palestinian institutions in the absence of clear evidence that they are Palestinian Authority institutions, cannot be sensible.

Israel must bear any consequences of a decision to proceed with the construction of new settlements in East Jerusalem. It is not reasonable to ask the Council to ignore this dangerous turn of events, claiming that action by the Council would only make matters worse. On the contrary, it is the responsibility of the Council to make clear to the Israeli Government that it must exercise caution and good sense so that the situation can be restored to a more even footing.

It is not too late for the Israeli Government to suspend, or even rescind, its decision in principle to go ahead with Har Homa. There is no reason for the actual construction to start now. The previous Israeli administration postponed similar plans to build in that area, realising the danger such plans, if implemented, represented for all communities. If the Israeli Government shows signs that it is willing to change its hard-line stance, we would be willing to consider a delay to Council reaction. But if the Israelis are determined to proceed, I believe this Council will, and should, be compelled to respond.

We believe that the Israeli Government should honour its word not to build new settlements, including settlements in East Jerusalem. But this in itself is not sufficient. The Israeli Government must also halt the practice of enlarging settlement boundaries and confiscating Palestinian land. Building bypass roads to settlements can, on its own, alter the status of the occupied territories and thereby pre-empt the final-status negotiations. These roads have the effect of isolating Palestinian towns from one another. Road-building should take full account of the sensitivity of territorial issues in the West Bank, including East Jerusalem, and the possible effects on final-status talks.

The British Government has urged the Israeli Government not to proceed with its plans for a new settlement in East Jerusalem. This would only detract from the positive atmosphere created by the Hebron agreement and undermine the successful negotiation of final-status issues. The United Kingdom remains committed to the final-status negotiations as the means to a peaceful settlement. These talks are already hedged around with difficulties. Neither side should seek to complicate them further.

Mr. Soares (Portugal): The successful conclusion of the Hebron agreement had led us to believe that Israel and the Palestinians would at this moment be focusing on the timely implementation of all agreements already concluded and would by now be starting talks on the final status of the occupied territories.

Instead we are now facing an element of destabilization that risks jeopardizing the atmosphere which should prevail to enable the parties to tackle the crucial issues that remain to be addressed. I am referring, naturally, to the decision by the Israeli Government to build a new settlement in the southern part of East Jerusalem, in the Jabal Abu Ghneim area.

This decision increases the frustration felt by all those who support the peace process. Unfortunately, it also encourages, perversely, the forces that are, directly or indirectly, opposing peace.

The Israeli Government's decision constitutes a violation of numerous resolutions of the Security Council and General Assembly, and also of the Fourth Geneva Convention. The Portuguese Government regrets the decision and wishes the Israeli Government had not taken it.

We believe that this measure is inconsistent with the terms of reference upon which the peace process is based, in particular Security Council resolutions 242 (1967) and 338 (1973). We cannot accept any decisions that aim at creating facts on the ground, prejudging the outcome of the final-status negotiations. Such measures can only undermine the indispensable trust and confidence that the parties must build in order to achieve a just, comprehensive and longstanding political settlement and to establish a new relationship based on cooperation, from which all countries of the region will benefit.

Moreover, the construction or the expansion of settlements, particularly in East Jerusalem — perhaps the most sensitive and emotional issue of the entire peace process — would create additional obstacles to the accomplishment of the ultimate goals of peace and cooperation envisaged by the parties. It will also further complicate the task of those engaged in mediating or assisting the parties in the peace process.

The presidency of the European Union will also address the Council on this subject. I should like to stress that Portugal fully subscribes to its statement.

Portugal firmly believes that there is no alternative to the Middle East peace process. Therefore, we call upon the Israeli authorities to refrain from any concrete action on Jabal Abu Ghneim that would have a negative impact on that process.

The Council must be clear and firm. Our purpose is to preserve and encourage the peace process. Therefore, we must urge parties to live up to their commitments and to comply with their obligations under international law and with the agreements they have reached. No one will understand or accept it if the momentum towards peace is lost as a result of disruptive actions by any of the parties.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The recent decision of the Israeli Government to build Jewish settlements in East Jerusalem has received considerable attention from the international community. The Council's holding of a formal meeting today demonstrates the seriousness of this question as well as the deep concern of the international community.

The Chinese delegation expresses its grave concern at this move by the Israeli Government. We are of the view that it is bound to place serious obstacles in the way of the Palestine-Israel peace process and to be detrimental to the Middle East peace process as a whole. We urge Israel to call off its plan to build Jewish settlements in East Jerusalem.

The Palestinian question is at the core of the situation in the Middle East. An early, just, reasonable and lasting solution to this question and the restoration of the legitimate national rights of the Palestinian people are the keys to peace, stability and development in the Middle East.

The question of Jerusalem should be settled by the parties concerned through negotiations on the basis of the relevant United Nations resolutions. Any unilateral move contrary to this approach should be avoided, since it will only further complicate the question instead of contributing to its proper settlement or to the Middle East peace process.

Peace has not come about easily in the Middle East and should therefore be deeply cherished by the parties concerned. We hope that the parties will avoid making any move that might aggravate conflicts and undermine the peace process. We encourage all positive efforts that help ease tensions, thereby creating a favourable atmosphere for the further advancement of the Middle East peace process.

The Chinese Government has consistently supported the Middle East peace process and stood for a political settlement of the Middle East question on the basis of the relevant United Nations resolutions and the principle of land for peace. We believe that achieving peace in the Middle East represents the common aspiration of the peoples of all the countries in the region, conforms with their fundamental interests and would contribute to peace and stability throughout the world.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): Moscow has learned with concern of the decision of the Government of Israel to proceed with the construction of a new residential settlement in East Jerusalem.

We share the negative response of the Palestinians, Arab and Islamic States, and the entire international community to this ill- considered and untimely step taken by Israel. Given the seriousness of the situation, Russia supported the request of a group of Arab countries for an urgent consideration of this issue at a formal meeting of the Security Council. This meeting assumes special significance since Yasser Arafat, Chairman of the Executive Committee of the Palestine Liberation Organization and President of the Palestinian National Authority, is currently in New York.

Israel's decision clouds the negotiating environment in the Middle East in general, especially on the threshold of the start in mid-March of the final-status talks. Unfortunately, all this is occurring after the agreements on Hebron opened a road to progress on the Palestinian-Israeli track based on the fulfilment of commitments undertaken by both sides.

The steps taken by Israel run counter to the Palestinian-Israeli agreements reached, since they are, factually speaking, designed to predetermine solutions to issues that require discussion during the final-status talks, the agenda for which includes the status of Jerusalem and the future of settlements. Such unilateral actions, designed to change the demographic composition of East Jerusalem in favour of the Israeli population, perpetuate the policy of *fait accompli* with respect to the Holy City and actually obviate a negotiated search for compromise on the problem of Jerusalem. All of this is at variance with

the direction of the peace process begun at the Madrid Conference.

Believers, especially Muslims, are extremely sensitive to any change in the status quo of East Jerusalem. Such changes contradict relevant Security Council resolutions and raise additional barriers to peace in the Middle East.

The efforts of the Russian co-sponsor are currently focused on energetically promoting a Palestinian-Israeli dialogue and on the resumption in a constructive spirit of the final-status talks. According to the Madrid formula, and in compliance with the letter of the Palestinian-Israeli accords, these talks must be based on Security Council resolutions 242 (1967) and 338 (1973). Accordingly, the principles set forth in these resolutions, including the inadmissibility of acquiring foreign territories by force, are applicable not only to the current situation but also to any future solution of the East Jerusalem problem. Moreover, the Palestinians' right to self-determination and statehood — and we stress this in particular — can be realized only on a basis of mutual acceptability and within the framework of the peace process.

The issue of Israeli settlements in the Palestinian territories will be stressed during the forthcoming contacts with the Israeli leaders in Moscow. We hope that the Israeli Government will find it possible to ponder all the consequences of its decision and to reconsider it.

As a co-sponsor of the peace process, Russia is convinced that the situation requires resolute action so as to avoid a relapse into tension in Palestinian-Israeli relations, as occurred last September. This, in our view, is the major motive behind today's Security Council meeting. A speedy resolution of the situation in East Jerusalem would ensure progress in the peace process and meet the interests of the Palestinians and Israelis alike, as well as the desires of the international community as a whole. We are sure that the Security Council will again declare itself in favour of this.

Mr. Osvald (Sweden): Sweden fully associates itself with the statement that will be made later in the debate by the representative of the Netherlands on behalf of the European Union.

Sweden is committed to the peace process, both politically and economically. We support the right of the Palestinians to self-determination, including their right to a State of their own. This right can be fully realized only through negotiations and only through a political process can lasting security in the Middle East be achieved. The foundations for peace are laid down in Security Council resolutions 242 (1967), 338 (1973) and 425 (1978).

The direction and timetable of the Israeli and Palestinian peace process was agreed to in the Declaration of Principles of 1993 and the Interim Agreement of 1995. The Hebron Protocol of 17 January 1997, concerning Israeli redeployment in and from Hebron and aspects on the further implementation of the Interim Agreement, constitutes an important step towards strengthening confidence between the parties.

The parties should continue to base their efforts on what has been achieved so far and refrain from measures that can threaten the peace process. In particular this applies to measures that could prejudge the outcome of the final status negotiations, including steps that would change the status of the occupied territories. Accordingly, the Government of Israel should reverse its settlement policy.

Sweden has long been deeply concerned about Israeli Government decisions and plans concerning settlements on occupied territory. The most recent decision concerns Jabal Abu Ghneim/Har Homa located on the occupied West Bank in the Jerusalem area. My Government considers that the construction of such settlements is a grave obstacle to peace, incompatible with the Declaration of Principles and in contravention of international law, notably the Fourth Geneva Convention.

The framework laid down in the Declaration of Principles between the Government of Israel and the Palestine Liberation Organization (PLO) should be the blueprint for an irreversible process. The peace efforts of the Government of Israel and the Palestinians must be brought to fruition. All parties have a formidable responsibility to see to it that this endeavour becomes reality.

Peace and stability in the region are an urgent necessity not only to the parties and the region but to the whole international community. We urge the Israeli Government to reconsider its decision on the settlements in Jabal Abu Ghneim/Har Homa and to reverse its settlement policy. This will serve the peace process, the Israeli and the Palestinian peoples, and international security.

Mr. Park (Republic of Korea): As we all know, just over a year ago the international community was full of optimism regarding the progress towards peace in the

Middle East, inspired by the success of the peaceful and democratic elections in Palestine held on 20 January 1996. Although Israeli-Palestinian relations went more or less downhill for the rest of 1996, 1997 began on a positive note with the momentous agreement to redeploy Israeli forces from Hebron. My delegation believes that this agreement holds particular significance, for it demonstrates once again that, even if differences at first appear insurmountable, those man-made differences can be overcome through dialogue between the parties directly concerned.

Now, however, a new man-made difficulty has arisen in East Jerusalem which, if not handled with adequate caution and prudence, could pose serious problems for the entire peace process. My delegation considers the recent Israeli decision to construct housing units in the southern part of East Jerusalem as a step which runs contrary not only to the relevant international conventions and Council resolutions, but also to the acceleration of the peace process, especially in light of the well-known political sensitivities associated with the city.

At this juncture, we believe that it is crucially important to prevent any weakening of the bonds of trust and cooperation that have been built between the Israelis and the Palestinians, especially following the Hebron agreement, lest the fraying of those ties jeopardize the entire peace process. This is all the more important as the final-status negotiations — one of the most critical and complex stages of the peace process — are scheduled to start soon. Clearly, neither the Israelis nor the Palestinians would benefit were the implementation of Israel's construction plans to derail the entire peace process, as already clearly evidenced through the events of last September in Jerusalem.

Furthermore, we wish to emphasize the importance of both sides' adopting a prudent and level-headed approach in the current circumstances. What has happened thus far is indeed cause for serious concern, but in no way justifies a violent response, which would only encourage extremism on both sides. In this connection, a photograph in last Friday's *New York Times*, which showed a Palestinian demonstrator holding an olive branch at the East Jerusalem housing site, conveys an important symbolic message that violence should not be a tool for solving problems.

Fully recognizing the far-reaching implications that the Middle East carries for world peace and prosperity, the Republic of Korea has consistently supported the peace process in the region and closely followed its implementation. Along with other members of the international community, we too believe that the Israelis and the Palestinians alike have a vital stake not only in continuing but in accelerating the peace process. It is therefore our sincere hope that a more fully fledged spirit of compromise and cooperation will prevail in their relations. As my delegation emphasized before the General Assembly during its debate on the situation in the Middle East last fall, we believe that difficulties in the Israeli-Palestinian relationship have often been caused by the impact of domestic politics at the international level. Solutions to these problems, therefore, can also be found domestically.

By the same token, we firmly believe that, despite setbacks, the truly impressive progress made in the peace process so far proves that Israelis and Palestinians are capable of mustering the courage, wisdom, and patience they need to overcome the current difficulties.

In conclusion, I wish to reiterate the hope of my delegation that the present tensions in East Jerusalem can be promptly defused through open-ended dialogue between the two sides, so that the Middle East peace process can once again move forward on the course laid out by the agreements freely entered into on the basis of Council resolutions 242 (1967) and 338 (1973).

Mr. Somavía (Chile) (*interpretation from Spanish*): For many, the Middle East conflict has been an integral part of the cultural baggage of today's society. Over time, we have come to associate this region with hatred and violence and to believe that little can be done to avoid this.

Nonetheless, events have proven those who think this way to be wrong and that, with political will and a sense of history, one could move towards initial solutions that would pave the way to a new era. This has been the inspiration of leaders of great moral stature, committed to their peoples and guided by bold politics.

Over the past few years, the world has watched as vital steps have been taken towards the establishment of lasting peace and security for all in the Middle East region. The Madrid Conference and the Oslo accords, which were unthinkable just a few years ago, have shown us that nothing is impossible. Rarely have international agreements given rise to such hope and relief in the international community. Once again, the Government of Chile pays tribute to all those who made the start of this peace process possible, and in particular Yitzhak Rabin

and Yassar Arafat, who were honoured with the Nobel Peace Prize for their contributions.

This has not been an easy process, however. Many obstacles have emerged along the way and many more will certainly surface. But that is not what is of concern to us; it is not the most difficult aspect of the issue. History shows that complex processes have always been rife with great difficulties. Nonetheless, from the barbaric acts of terrorism of last April, the closing of the borders and the bombardment of Lebanon, to the latest elections in Israel and the subsequent events with which we are all familiar, it would appear that the spirit of Oslo is gradually losing ground. This, in our opinion, is the most serious difficulty.

In September, the Security Council met on an emergency basis to address the consequences of the opening of the mosque tunnel, which left more than 70 dead and hundreds wounded. At that time, Chile called for openness and a halt to the use of the tunnel. At the same time, compliance with the agreements was becoming more difficult, as was the continuation of the peace process, particularly regarding Hebron. Fortunately, in the end and at great cost, an understanding was reached that should now be fully implemented. As a result of the latest decisions taken by the Israeli Government regarding East Jerusalem, the Security Council is once again forced to take up the question of the occupied territories at today's meeting.

Jerusalem, as other speakers have said, is a holy city for several cultures and religions. It is not just any city. This is a place that sparks great sensitivities and deep emotions. A delicate and precarious balance exists that must be not only maintained but strengthened until definitive agreements are implemented. This is the policy which the international community has considered most fair and correct. In this context, Israel's annexation of East Jerusalem has never been recognized by the international community as a whole.

My country, as an integral part of this international community, recognizes the status established under resolution 242 (1967) of the Security Council as the only valid status for the occupied territories, including Jerusalem. This position has been reiterated over the years and recently in this very room, by several Foreign Ministers, including that of my own country, during the debate which took place last September. We consider East Jerusalem to be an occupied territory; consequently, we deeply deplore the approval by the Government of Israel of a plan to build 6,500 housing units in the Jabal Abu Ghneim/Har Homa sector, in the south of East Jerusalem. We believe that this decision is not only in breach of international law, as reflected by this Council's resolutions, but that it also seriously endangers the precarious stability of the region.

Indeed, the decision to proceed with these settlements touches the most sensitive nerve of the Palestinian people. These are disputed lands and this decision creates the justified perception of a policy of fait accompli aimed at maintaining total control over Jerusalem. Furthermore, this settlement virtually cuts off communications between Bethlehem and other surrounding Palestinian settlements.

The last thing Chile wants is for the Security Council to have to meet regularly on Middle East issues. What we want are negotiations and direct agreements between the parties that would make it unnecessary to hold such meetings, time and time again in the future.

For this reason, we appeal for calm and for the parties to refrain from any act of violence that might make matters even worse. Naturally, we also make a special appeal to Israel to reconsider its decision. We believe that the parties should do everything possible to advance dialogue in a framework of respect for agreements reached and for the special sensitivities in connection with Jerusalem.

The peace process, which has already come a long way, should not be halted. It is necessary to reverse the measure that has given rise to this latest dispute, and Chile is prepared to support a Security Council draft resolution in that connection.

Above all, it is necessary to restore the high-minded spirit and the conviction that only dialogue and negotiation, not unilateral actions, provide long-term security for all. We must continue forward with the process of implementing the peace agreements and secure compliance with the resolutions of the Council on this matter.

In conclusion, there are already too many standing in the shadows and trying to block peace for other, central actors to lose the spirit that made the first agreement possible and thus weaken the spirit of Oslo. Now is a time when political courage will once again show the quality of leaders. Now is a time to dare to write history, not to allow oneself to be carried away by extreme positions of groups that, though they are influential, are a minority. Chile trusts that good judgement and common sense will prevail.

Mr. Owada (Japan): The Government of Japan has been watching with great concern and anxiety the recent developments in the Middle East involving the decision made by the Government of Israel on the construction of housing at Har Homa in East Jerusalem. It is particularly unfortunate that this decision should have come in the wake of an agreement that had been reached between Israel and the Palestine Authority on Hebron, after the peace process had been halted for several months in a turbulent situation which involved the tragic assassination of Prime Minister Rabin of Israel. It was Japan's view that the agreement symbolized a step forward towards advancing the Palestinian track of the Middle East peace process.

The decision of the Government of Israel on the construction of housing at Har Homa, or, in Arabic, Jabal Abu Ghneim, coming as it did at such a juncture, must be viewed against the background of these recent developments. For this reason, the Government of Japan feels bound to state that this decision on the part of the Government of Israel is regrettable. In the view of my Government, this action would seem to run the risk of jeopardizing the basic situation concerning the occupied territory and prejudging the outcome of the final status negotiations. Furthermore, we cannot close our eyes to the fact that the Government of Israel took its decision just at a time when the Middle East peace process, particularly the Palestinian track, is at a crucial stage.

Taking into account all these factors, the Prime Minister of Japan, Mr. Ryutaro Hashimoto emphasized just one week ago, on 27 February, when Foreign Minister Levy of Israel visited Japan, that Japan regretted the decision of the Government of Israel to construct housing in East Jerusalem, as it constituted a negative factor for the peace process. The Government of Japan has since been urging the parties involved to make the utmost efforts not to allow the present situation to develop into a major obstacle to the peace process and to do their utmost to push that process further forward.

I wish to recall that on the occasion of the Security Council meeting on the situation in the occupied Arab territories on 27 September 1996, I stated the position of the Government of Japan as follows:

> "Improvements to the present situation should be carried out through a double-track approach. One task is immediate and the other a more fundamental approach to the basic issues at the root of the problem.
>
> "The immediate task on which action is required is for the parties directly involved to immediately engage in efforts to bridge the chasm of mistrust that separates them by refraining from any action which could do harm to the prospects of the peace process. It is thus essential that they devote themselves to practical confidence-building measures ... At the same time, on a more fundamental level, it is imperative that the parties directly involved intensify their efforts, in good faith and with steadfast determination, to pursue the peace process in order to restore peace throughout the region." *(S/PV.3698, Resumption 1, p. 27)*

That is exactly how the Government of Japan sees the current situation at this time. There would be little cause for optimism about progress in those negotiations unless the parties concerned addressed the outstanding issues with serious determination and in good faith.

It is out of the same concern for restoring peace in the region that Japan has been actively involving itself in the peace process in the Middle East, in particular through active participation in the multilateral talks that began with the Madrid Conference in October 1991. Japan's policy is based on its conviction that the Middle East peace process is an extremely complex and delicate process which for its success requires careful nurturing through concrete measures of cooperation by the international community to buttress the efforts to be made by the parties directly involved. Thus, my country, as a member of the steering group, as well as gavelholder of the working group on environment, has been instrumental in providing a favourable environment that will assist the direct talks among the parties concerned. Also as part of those efforts, Japan has been implementing various projects worth approximately $250 million to promote Palestinian self-rule in its initial phase after the Oslo accord. With a view to creating a new spirit of mutual confidence and of joint cooperation among the countries in the region, Japan has been calling on the countries concerned to convene a plenary meeting of the environment working group, as well as a meeting of the steering group for the multilateral talks at the earliest possible time so that the Palestinian track may proceed smoothly following the Hebron agreement.

Japan feels very strongly that it is most important, particularly at this very difficult time, for the parties directly involved to exercise self-restraint, strictly refrain from any action that would pose an obstacle to the peace process and do their utmost to bring the peace process

back on track as quickly as possible. Japan is committed to assisting them in that endeavour to the best of its ability.

There is a very real danger that the Israeli decision could lead to a crisis of confidence in which the erosion of the process of peace might result. If that should take place, the resulting mistrust and rancour among the parties could destroy the very structure for peace in the Middle East, a structure so assiduously built up over the years since Camp David, Madrid and Oslo.

My delegation sincerely hopes that the parties concerned will not lose sight at this juncture of the critical importance of overcoming small differences for the sake of promoting the cause of lasting peace and stability in the region. In any great undertaking there is always a danger that we may fail to see the forest for the trees. It is my earnest hope that all parties concerned will focus their endeavours on the forest and make their best efforts to offer the people in the region a solid ground for hope for a more peaceful and secure future.

Mr. Mahugu (Kenya): Over the last three years we have been encouraged by the progress made in the peace process in the Middle East. Kenya has been an advocate of peace in that part of the world and has supported the dialogue that has been evident between the parties.

We are concerned about any threats to the ongoing negotiations. We believe that these negotiations have proved to be fruitful so far, and we therefore call upon the parties concerned to refrain from any activities that may have the potential to undermine the peace process.

It is in that regard that we urge the parties in the Middle East to exercise restraint at this stage and to continue to negotiate on all the outstanding issues, including the permanent status of Jerusalem.

On our part, we are determined to continue to support the parties in their search for a durable, comprehensive, just and permanent peace. The people of the region — both Palestinians and Israelis — and the world at large want peace.

Mr. Berrocal Soto (Costa Rica) (*interpretation from Spanish*): In the light of the recent events in the Middle East, in particular the difficult situation resulting from the Israeli decision to build a housing project in Har Homa — a traditionally Arab area in East Jerusalem — which is the reason for the Security Council's formal meeting today, the Government of Costa Rica, in the context of its steadfast support for the peace process in that region, wishes to make the following statement.

Costa Rica, true to the traditional principles of its foreign policy, has always expressed its firm and determined support for the peace process and, in the context of its deep feelings of friendship for and solidarity with all the peoples of that region, reiterates that peace, stability and reconciliation in the Middle East should be based on faithful compliance with the Oslo accords.

Those principles will determine the positions taken by our country in the Security Council, as the Government of Costa Rica is convinced that the Oslo accords are the path to peace and that the international community has an obligation to contribute constructively to the effective conclusion of this process in a spirit of solidarity with Israel and the Palestinian National Authority.

Costa Rica therefore considers it of great importance that all parties to the peace process should act in accordance with the agreements made in Oslo, and that the implementation of the agreements should continue normally while the concrete and positive actions necessary to achieve such a goal are carried out. This will to achieve peace, which was expressed at Oslo and reaffirmed by the signing of the Hebron protocol, should be maintained at all costs, in order to overcome negative situations that impede the proper implementation of agreements.

Costa Rica believes that in the present circumstances it is of the utmost importance for the parties to begin as soon as possible the final stage of the negotiations aimed at achieving all the necessary agreements for the definition and establishment of a permanent status. This should include the matters pending with regard to settlements, refugees and the permanent status of Jerusalem.

In this connection, our country wishes to take this opportunity to reiterate its stance of full and unconditional support and respect for all the consensual agreements that may be undertaken during this final stage by Israel and the Palestinian National Authority with regard to the matters pending, including the status of Jerusalem and the other matters addressed in the Oslo accord. Costa Rica has supported the recognition of all the rights of the Palestinian people since the General Assembly of the United Nations adopted resolution 181 (II) on 29 November 1947, in particular its right to establish its own

State. Costa Rica reaffirms this position and its willingness to develop full relations of friendship and cooperation with Palestine.

Costa Rica, also a friend of the State of Israel, pursues an open and constructive policy regarding the situation in the Middle East and has always supported Israel in its just demands for secure borders. Our country also believes that, unfortunately, in the current circumstances some positions taken by certain radical Israeli political factions impede the full realization of the Israeli people's legitimate desire for peace and the fulfilment of the Oslo accords. It is therefore essential to maintain the spirit of Oslo.

My country trusts that the important mediating role that the Government of the United States has undertaken and continues to carry out, along with the importance of the direct contacts between President William Clinton, Israeli Prime Minister Benjamin Netanyahu and the President of the Palestinian National Authority, Yasser Arafat, will make it possible to overcome these difficulties and create the necessary conditions to begin this last and essential stage of the negotiations.

At the same time, my country believes that it is essential to point out the important role that President Hosni Mubarak of Egypt and His Majesty King Hussein of Jordan have played in the peace efforts. Both leaders have dedicated their best efforts and national endeavours to create the proper conditions to achieve peace and a comprehensive solution to the conflicts in the Middle East.

In this context, and in full agreement with the international community, my country firmly believes that a firm and lasting peace in the Middle East should be based on a wide and comprehensive vision that should necessarily encompass all areas of disagreement. It must also include, without exception, all the Governments in the region that have some influence in the settlement of those conflicts. Otherwise, peace in that sensitive part of the world will always be precarious.

In this spirit, Costa Rica reaffirms its support for the need to maintain and respect the territorial integrity and the internationally recognized borders of Lebanon. It also underlines that a comprehensive solution to the conflict in the Middle East also requires a just and balanced solution to the problem of the Syrian territories currently occupied by Israel. Our country hopes that the development of constructive negotiations in that direction will come to complement and unify the current process of negotiations between Israel and Palestine.

Finally, my country, in its capacity as a non-permanent member of the Security Council, believes this to be an appropriate occasion to reaffirm its traditional and historical policy in favour of peace and international security through dialogue and negotiations that guarantee the timely implementation of the resolutions of the Security Council and the General Assembly of the United Nations and the full observance of international law.

Mr. Cabral (Guinea-Bissau) (*interpretation from French*): I would like to thank you, Mr. President, and ask you to convey our thanks to your predecessor, our colleague and friend Ambassador Mahugu of Kenya, for the competence and talent with which he presided over the work of the Council in February.

Every one of us bears an indelible memory of the image of that handshake, in Washington in September 1993, between the President of the Palestinian Authority, Mr. Yasser Arafat, and the then Prime Minister of Israel, Mr. Yitzhak Rabin, who was assassinated in so cowardly a manner in October 1995.

That day the whole world bore witness to an event whose historical significance transcended the geographical confines of the Middle East and the destiny of the peoples involved. We felt then that we were experiencing an extraordinary moment, and were virtual eye-witnesses to a major turning point in the tortured history of Arab-Israeli relations. We thought that a new page had been turned, bearing in bold capitals the inscription "Peace, Reconciliation and Coexistence" — words that had been absent for so long from daily human discourse in that part of the world, because they had been drowned out by the deafening thunder of guns and the indiscriminate blast of bombs.

Our hopes knew no bounds. We were surprised to find ourselves dreaming of friendship and harmony between the Arab and the Israeli peoples. We believed in the complete withdrawal of the occupation forces and in an end to the hostilities that for so long had brought such bloodshed to that part of the world and with it had plunged so many families, on both sides, into mourning. We thought that the reasons for killing one another and for pursuing the war could not stand up to common sense and would surely yield to reason. We had hoped to see, on a horizon darkened by such great bitterness and despair, a new dawn whose glow would enlighten the hearts and minds of all in a region that had seen such grief.

To be sure, we knew that peace was not easily built, and that great difficulties could be involved in such an undertaking. But so many obstacles had been overcome and so much progress had been achieved since the October 1991 Madrid Conference that we felt safe in our belief that peace was now possible and lay within our grasp.

As in any process of this kind, goodwill and determination are needed to overcome the uncertainties inherent in the complexity of conflict. Without complete understanding of what is really at stake, of the common destiny that unites the peoples of the Middle East, lasting peace cannot be established in a region where decades of exclusion and hatred have left wounds that are difficult to heal over.

Modern history teaches us that great political courage and humanism are needed to overcome the prejudice and fear that produce in us the fear of "the other". It is the duty of every statesman and every leader to resist short-sighted pressure and to reject the ascendancy of policies that are merely political.

The Israeli Government decision to establish new Jewish settlements in East Jerusalem runs counter to the spirit of peace that now prevails in the region, and constitutes an additional obstacle to the creation of a climate of understanding, reconciliation and religious tolerance in that age-old holy city held so dear by the world's three great monotheistic religions. We must remember the sacred nature of Jerusalem in order to understand better the feelings of disagreement and opposition engendered by such a decision — which moreover is illegal, as it completely ignores the relevant Security Council resolutions.

The status of Jerusalem cannot be altered without provoking the disapproval of the international community. The measures decided upon by the Israeli Government have added to the injustice of which the people of East Jerusalem are already victims, having been evicted to make room for newcomers. The resulting demographic change and sociological imbalance have already exacerbated tension and deepened the differences between the Palestinians and the Israeli settlers.

It is up to the Israeli Government to show restraint and to respect the rights of the Palestinians, many of whom, having had their property confiscated, are living in conditions that are intolerable and that violate their rights. Under the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War, Israel must shoulder its responsibilities as the occupying Power. Building new Jewish housing in the southern part of East Jerusalem, in the Jabal Abu Ghneim area, where Arabs have always lived, is senseless provocation, for it is taking place at the very time when a new phase of negotiations is beginning following the recent agreement on Hebron. The Israeli Government must reverse its decision, for the status of Jerusalem and all related questions must be the subject of discussions in the framework of the dynamic of peace that is already under way.

For decades, the international community has sought a solution to the Middle East conflict. If a settlement is to be conclusive and lasting, it must result in full enjoyment by the Palestinians of all their rights. The peace process — some of whose vagaries we have already mentioned in order to show how necessary it is that it be consolidated — must continue on the terms agreed upon by the Palestinian National Authority and the Israeli Government. The pace and timetable must be maintained; everything must be done to ensure that the rights of all parties are taken into account, with respect for the principles of justice and equity. The well-being of the Jewish inhabitants of Jerusalem cannot be achieved at the cost of the Palestinians being driven from their land. We absolutely must correct the political and socio-economic imbalances caused by 30 years of occupation.

In the Middle East as everywhere else, an end to hostilities does not mean a return to peace. That requires sincere commitment and exceptional abilities, not the least of which is political courage. Will the Israeli leaders be able to heed the call of the Security Council and act accordingly?

Guinea-Bissau considers that the peace process must continue, and must enjoy the unwavering support of the international community. The Palestinian National Authority and the Israeli Government must try to overcome all the obstacles to bring about a conclusive peace based on respect for the inalienable rights of one and all.

The history of the Middle East will record the heroic sacrifices of those who have not hesitated to overcome their own prejudices and oppose the ignorance and intolerance of extremists of all stripes to show us the path to follow: the path of dialogue, negotiation and the peaceful settlement of disputes, which has been so forcefully advocated by the United Nations and so long desired by the peoples of the region.

We must hope that the supreme sacrifice of those who have given their lives for the cause of peace in that part of the world will continue to illuminate and inspire the political leaders and the peoples of the region in their quest for peace, justice and a better life for all.

The President: I thank the representative of Guinea-Bissau for the kind words he addressed to me and, through me, to Ambassador Mahugu.

Mr. Richardson (United States of America): We meet today at a moment of great promise and great challenge in the Middle East peace process. There can be no doubt of the extraordinary progress made by the parties in their talks to date.

In January, after intense negotiations, the Government of Israel and the Palestinian Authority reached an agreement on Israeli withdrawal in Hebron, one of the most contentious and divisive issues discussed by the parties to date. That accord has now been implemented and a road map for future progress on such issues as further redeployment, the Gaza airport, safe passage, and economic matters has been agreed to.

In February, the Government of Israel made good on its pledge to release dozens of Palestinian women prisoners in a further measure to respect prior agreements and build confidence. In the coming weeks and months, we fully expect the parties to proceed with further steps designed to advance the peace process, including additional Israeli redeployments from areas of the West Bank.

What these developments underscore is that the parties retain the will, the commitment and the ability to move forward, despite the considerable obstacles they face. Most significantly, these achievements have come about because the parties remain dedicated to the single most important principle upon which the Madrid process was based: that there is no substitute for direct negotiations between the parties.

Unfortunately, the announced decision of the Government of Israel on the proposed Har Homa settlement construction in East Jerusalem does not accord with the progress the parties have achieved to date. The United States is concerned by the decision announced by the Israeli Government. As President Clinton said on Monday, the United States would prefer that the Har Homa decision had not been made. We believe that this decision undermines the trust and confidence that is so badly needed if a lasting peace is to be achieved. We know the sensitivity of the issue of Jerusalem, and it is precisely because mutual confidence is needed to deal with the permanent status questions that we would have preferred this decision not to have been taken.

The international community has a responsibility too. We must respect the will and the commitment of the parties to move forward together along their chosen path of negotiations. We must offer our support and encouragement at every turn, just as the General Assembly has each year in its annual resolution in support of the Middle East peace process.

All parties share the goal of finding ways to advance peace. We must do everything possible to foster a supportive environment for permanent status negotiations, which will begin later this month. We must be especially sensitive to any actual or implied interference in these negotiations. Such interference can only provoke mistrust and harden the positions of both sides, which will make further progress much more difficult. The Security Council has a special responsibility in this regard.

I believe all of us in this Chamber want the same things. We want to see continued progress in the Middle East peace process. We want to encourage the parties to resolve their differences directly, among themselves, without resort to force or the threat of violence. Our goal is a just, comprehensive and lasting settlement to the conflict in the Middle East. Let me reiterate our view that it is critically important that the parties and the Council remain focused on the need to sustain and enhance progress towards this goal. At a time when permanent status negotiations are scheduled to resume, we should not take any action that would detract from this objective and which would make the tasks of the parties that much more difficult.

The Council should keep these long-term goals in mind as we consider the steps before us. As members of the international community, we seek to assist the parties to build a peaceful, prosperous and secure future in the Middle East.

The President: I shall now make a statement in my capacity as the representative of Poland.

As I am speaking at the end of this part of today's meeting, and as we share many of the views and opinions presented so far by the members of the Council and associate ourselves with the statement to be delivered by the delegation of the Netherlands on behalf of the

European Union, I should like to limit myself to the presentation of the fundamental elements of the Polish position on the present situation in the occupied territories.

First, we believe that there is no alternative to the peace process in the Middle East. Therefore, the Polish Government welcomes every manifestation of progress in the peace negotiations between the Israeli and the Palestinian sides, as in the case of the successful conclusion of the agreement on the redeployment of Israeli soldiers from Hebron. It is extremely important that the entire peace process be implemented smoothly and in a way that would help to enhance confidence among the parties. That is why we encourage the parties strictly to abide by the agreements already reached and to continue their efforts to advance the peace process.

Secondly, we hold the strong view that all sides should refrain from any action that could have negative implications for the peace process. The recent decision by the Israeli Government to approve the construction of the Jabal Abu Ghneim/Har Homa settlement in East Jerusalem, if carried out, poses a danger to the peaceful future of the region. We join others in appealing to the Israeli Government to reconsider its position. Existing international obligations and commitments should be respected. This is of paramount importance on the eve of the resumption of the final status negotiations.

Thirdly, the Polish Government is aware of the efforts undertaken by several States aimed at defusing the present tension and safeguarding the achievements of the peace process. We welcome and support these initiatives, and we call upon the parties to cooperate.

Finally, the Polish delegation is convinced that the Security Council should send an appropriate message to the parties reaffirming its interest in the situation in the occupied Arab territories and calling upon them to overcome the predicament in which the peace process has found itself in recent days.

I now resume my functions as President of the Security Council.

I should like to inform the Council that I have just received a letter from the representative of the Philippines in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Mabilangan (Philippines) took the seat reserved for him at the side of the Council Chamber.

The President: The next speaker is the representative of Norway. I invite him to take a seat at the Council table and to make his statement.

Mr. Bjørn Lian (Norway): Today's meeting of the Security Council comes at crucial point in the Middle East peace process. Last year saw serious difficulties in that process that at long last now seemed to have been overcome. The signing and swift implementation of the Hebron protocol in January was a long- awaited, practical reconfirmation by the parties of their commitment to the Oslo accords. We were gratified that the parties had yet again demonstrated their capacity to transcend disagreements and conclude agreements. The United States deserves particular praise for its active support during that negotiation process.

The consequent establishment of a multilateral observer corps in Hebron, manned by personnel from Denmark, Italy, Norway, Sweden, Switzerland and Turkey, also served to underline the undiminished international support for the parties in their quest for peace. And with the resumption of talks last month on outstanding issues in the Interim Agreement, lost momentum was regained and confidence rebuilt in the Middle East peace process.

Against this background, Norway is deeply concerned by the decision taken by Israel's Government to establish a new settlement in Jabal Abu Ghneim/Har Homa in East Jerusalem. Such settlement activities would not only contravene the present legal status of East Jerusalem but would also be in conflict with the spirit of the Oslo agreements. At this critical juncture of the peace process, when negotiations on final status issues are to be initiated shortly, it is more important than ever that the parties show restraint.

My authorities therefore urge the Israeli Government to reconsider its decision. And we call upon both Israel and the Palestinian Authority to refrain from any action that could change the facts on the ground and thus

preempt the outcome of the negotiations on the final status of Jerusalem.

Rather than making unfortunate unilateral decisions, the parties should now promote understanding between their peoples and advance the negotiations towards a peaceful settlement. We see this as their moral and political obligation. The international community thus expects the parties to follow the challenging course set out by the Declaration of Principles and the subsequent agreements. While difficult problems remain, the rewards will be high in terms of prospects for lasting peace as well as economic prosperity and well-being for their peoples.

The President: The next speaker is the representative of Turkey. I invite him to take a seat at the Council table and to make his statement.

Mr. Çelem (Turkey): The Turkish Government is seriously concerned about the latest decision of the Israeli Government to approve a housing construction project in the Jabal Abu Ghneim region of Al-Quds Al-Sharif, in defiance of the relevant Security Council and General Assembly resolutions. Although it is sugar-coated with the simultaneous approval of scattered housing construction projects for the Arab population of Al-Quds, everyone is aware that the Israeli Government views this project as a method to preempt the outcome of the negotiations on the final status, particularly on the future of the Holy City — equally holy for all three monotheistic religions.

The tragic events of last September, following another decision of the Israeli Government regarding a holy site — again in Al-Quds — are still vivid in our minds. The chain of reactions provoked by that decision to open an archaeological tunnel passing under the Al-Aqsa Mosque complex should have taught a lesson to all the parties involved on what not to do at this critical point in time.

Unilateral actions that may adversely affect the peace process must be avoided at all costs. So far, much has been achieved in peacemaking between the Arabs and the Israelis, leading very recently to the protocol on Al-Khalil and finally clearing the way for the final-status talks, which will also include the negotiations on the future of Al-Quds Al-Sharif. At a time when the commitment demonstrated by the Israeli Government to the established parametres of the peace process was rekindling our hopes for the future of the Middle East, the decision to allow construction in Jabal Abu Ghneim has once again caused deep worries about the success of the process. Any decision that could affect the outcome of the final-status talks should not even be considered until the successful conclusion of the talks.

How long can such vacillations continue before the process is dealt a blow from which it cannot recover? The future not only of Al-Quds Al-Sharif, but of the entire Middle East peace process, hangs in the balance. In this vein, I wish to reiterate Turkey's unwavering support for and belief in the Middle East peace process, which we deem the only rational path leading to a just, comprehensive and lasting peace in the region. To achieve this goal, we expect the parties to contribute positively to the process on the basis of Security Council resolutions 242 (1967) and 338 (1973).

Therefore, my Government urges the Government of Israel to reconsider and reverse its policy of resuming such settlement activities in Jabal Abu Ghneim and other occupied areas.

The President: The next speaker is the representative of Lebanon. I invite him to take a seat at the Council table and to make his statement.

Mr. Moubarak (Lebanon) (*interpretation from Arabic*): May I first congratulate you, Sir, on your accession to the presidency of the Council for this month. May I also pay tribute to your predecessor, the Permanent Representative of Kenya, for his work as President of the Council last month.

I would like to express our deep concern at the persistence with which Israel, as an occupying Power, is continuing to pursue illegal policies and measures in the occupied Palestinian territories, including Jerusalem, as well as in the occupied Syrian Arab Golan. In particular, Israel persists in establishing settlements in violation of the Fourth Geneva Convention of 1949, the Hague Rules of 1907, the 24 resolutions of the Security Council regarding settlements and the resolutions of the General Assembly on this matter. Such acts also seriously endanger the peace process in general.

After the Madrid Peace Conference in 1991 laid the foundation of the peace process, we had hoped to see a new dawn in our region in which a just and lasting peace could take root. The Arabs participated sincerely in this process, but Israel's persistent policy of establishing settlements, expanding and confiscating lands have dashed those hopes. The new Israeli Government has now dealt a virtually fatal blow to those hopes by declaring

explicitly its retreat from its obligations under the peace process.

This Government makes settlement an integral part of its policy priorities and no longer wishes to resume the peaceful negotiations that had been taking place despite the obstacles. This Government has taken serious new steps to annex East Jerusalem. For the third time in seven months, the Security Council is compelled to focus on Israel's illegal measures that have been adopted in regard to occupied East Jerusalem that seek to enshrine policies aimed at changing the legal status of that city and its demographic composition.

A few days ago, the Israeli authorities announced their decision to create a new settlement with 6,500 housing units in the southern part of East Jerusalem, particularly in Jabal Abu Ghneim. This is in the context of a series of similar Israeli measures, including the declaration of intent regarding the establishment of another settlement at Ras al-Amud, within the original municipal borders of East Jerusalem. The Israeli authorities have also demolished the building belonging to the Burj al-Laqlaq association within the Old City, thus opening the way to the creation of new settlements in that building's place.

All of this is a prelude to a gradual, progressive campaign of expelling Palestinian Arabs from Jerusalem. We have always warned that such Israeli policies and illegal expansionist measures in Jerusalem, are of an extremely serious nature. Jerusalem is a city of vital importance to the Arab, Muslim and Christian worlds, as well as to the international community and the three revealed religions.

Similarly, the Israeli authorities continue to keep the tunnel under Haram al-Sharif open, despite Security Council resolution 1073 (1996).

We would therefore reaffirm the following. First, we are in full solidarity with the Palestinian people, who refuse to bend to occupation, under any occupying Power whatsoever. Secondly, the current problem has not come unannounced; it is the natural result of the current Israeli Government's ideology and policies. Consequently, in order to address this problem, it is necessary for the international community, as represented by this Council, to adopt a clear position. This position must make it clear to the Israeli Government that the international community rejects its attempts to annex occupied Arab territories, including East Jerusalem, as well as its settlement operations and activities in those territories.

In calling for such a position, we wish it to be in the service of peace in the region. The indulgence hitherto shown the Israeli leaders has led to destruction and violence for the Arab and Israeli peoples alike. Our stance here is in keeping with all previous Security Council resolutions and with international law. It is also in keeping with the most noble concepts of international law, which still constitutes the basic pillar of today's civilized world.

We believe that it is the duty of this Council to place on equal footing all the decisions that it has adopted to date and that it will adopt regarding the Middle East and other regions of the world. We will never forget Council resolutions 252 (1968), 267 (1969), 271 (1969), 298 (1971) and 476 (1975), according to which all Israel's legislative and administrative measures and activities in Jerusalem are null and void as well as illegal.

Today, we call for a resolution clearly expressing the international community's rejection of and opposition to Israel's policies and measures aimed at annexing Jerusalem and expanding settlements. In this resolution, we must insist on specific measures that would lead Israel to respect international law. We also call for a clear-cut position that reflects the international community's commitment to seeking peace in conformity with the Madrid principles, particularly that of land for peace. We are called upon here to shoulder our historic responsibilities, because time is no longer on the side of peace. Events in the region threaten to cause everything to explode, both there and elsewhere.

Thirdly, the argument continually used by the Israelis in order to justify their expansionist and settlement measures and upon which the various Israeli Governments have based their actions no longer holds. These measures have led to violence and increased tension between Arabs and Israelis. How, indeed, can one establish peace under continued occupation? A *fait accompli* peace, imposed by force, is not viable and is destined to fail. True peace is within our reach, provided that it is founded on bases agreed upon by all.

We established these bases and foundations in Madrid. The most important among them are those that call for land for peace and full implementation of the resolutions of international law demanding Israel's withdrawal from the occupied Arab territories, including Jerusalem and the Golan, to the lines of 4 June 1967, in keeping with Security Council resolutions 242 (1967) and 338 (1973), as well as from Lebanon to the

internationally recognized Lebanese borders, in keeping with resolution 425 (1978). The half-measures adopted in the context of the peace process do not exempt Israel from its responsibility or from the pressure of international public opinion and the views of the international community as a whole. The latter should not allow Israel to move forward with its vast occupation plans.

Last, we would call on the two States sponsoring the peace process in the Middle East to play a key role by convincing Israel to postpone and cancel its decision to build settlements at Jabal Abu Ghneim, to reverse and definitively abandon these projects, to adopt measures to accelerate the peace process as a whole and to return to the point at which this process stopped, basing itself on the Madrid principles and on the principle of exchanging land for peace in keeping with resolutions 242 (1967), 338 (1973) and 425 (1978).

Today, it is imperative that the two sponsors of the peace process act to ensure that peace is relaunched, in keeping with the principles agreed upon in Madrid, with the goal of achieving a just and lasting global peace in the region. We would also, through this Council, call on all those who are actively involved to work seriously and take decisive and prompt measures to convince Israel to return to the agreements of Madrid as a frame of reference.

The President: The next speaker is the representative of Yemen. I invite him to take the seat reserved for him at the Council table and to make his statement.

Mr. Al-Ashtal (Yemen) (*interpretation from Arabic*): At the outset, I would like to extend to you, Sir, our sincere congratulations on your assumption of the presidency of the Security Council for this month. I am confident that you will ably conduct the work of the Council. I would also like to thank your predecessor, the Ambassador of Kenya, for his excellent guidance of the work of the Council in February.

The Security Council meets today in the face of serious developments which imperil peace and security and threaten to return the Middle East to the vicious circle of conflict, tension and instability. The Israeli Government's decision on 26 February to built a new Jewish settlement at Jabal Abu Ghneim, south of the Arab city of Jerusalem, is a new and acute crisis that threatens the peace process, which has already been shaken several times since the Likud party came to power.

The decision of the Israeli Government is a clear violation of the principles upon which the peace process was based and of all international laws and resolutions, and in particular Security Council resolutions 242 (1967), 252 (1968) and 338 (1973), which reaffirm the illegality and illegitimacy of confiscating land by force and which decide all actions and measures taken by Israel, including the confiscation of land and property, to be null and void. Such actions cannot change the status of the city of Jerusalem.

Furthermore, the Israeli actions run counter to the letter and spirit of the peace agreements signed between Israel and the Palestinian party.

They also pre-empt the final-status negotiations and constitute an attempt to impose a *fait accompli* on Al-Quds Al-Sharif, one of the most important issues of the peace process.

When the Arab Group addressed its letter to the President of the Security Council before Israel took the decision to build a new settlement, it did so in the hope that the Security Council would take pre-emptive action to compel Israel to put a halt to the Jabal Abu Ghneim project. The Council did not act expeditiously, however. Now that the Israeli Government has taken that decision and is prepared to use force in order to implement it, the Security Council is required once again to make a clear pronouncement reaffirming the illegality of the confiscation of land by force and calling upon Israel to reverse its decision and to cease all provocative action that could threaten the peace process and the security of the region.

The position of the Republic of Yemen with regard to Israel's decision to build a new settlement is summarized in the following statement issued by the Ministry for Foreign Affairs in Sanaa:

> "The Republic of Yemen follows with grave concern the Israeli decision to build a new Jewish settlement in occupied East Jerusalem. This represents a further escalation by Israel that will create tension in the region and is an expression of Israel's ill-intentioned design to destroy and hinder the peace process. It also represents Israel's complete disregard of all the agreements it has concluded with the Arabs to promote the peace process.

"This new Israeli provocation and escalation does not contribute to establishing an environment of confidence. Rather, it pushes the region once again into an atmosphere of confrontation and instability.

"While strongly denouncing and condemning this Israeli action, the Republic of Yemen calls upon the Security Council and all States concerned with the peace process in the region — foremost among which are the United States of America and the European countries — to bring pressure to bear on Israel to reverse this serious and provocative decision.

"The Republic of Yemen once again reiterates its firm position on the peace process and the importance of establishing a just and comprehensive peace based on the restoration of all legitimate Arab rights and the end of the Israeli occupation of all occupied Arab territories in Palestine, the Golan and southern Lebanon.

"The eyes of the world, in particular in the Middle East, are focused on the Security Council in the hope that it will shoulder its responsibility and advance the peace process on the basis of its own resolutions, which form the framework of all agreements, including those signed between Israel and the Palestinians. We call on the Security Council to move speedily to avert all the dangers and impel the peace process forward."

The President: The next speaker is the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. I invite him to take a seat at the Council table and to make his statement.

Mr. Ka (Senegal) Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*interpretation from French*): At the outset, I wish to congratulate you warmly, Sir, on your assumption of the presidency of the Security Council for the month of March. I am sure that under your enlightened guidance the Council's work will be very successful. I would also like to take this opportunity to congratulate your predecessor, Ambassador Mahugu, Permanent Representative of Kenya, for the exemplary manner in which he presided over the work of the Council in February 1997.

I should like to thank the members of the Council for giving me this opportunity, as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to participate in this important debate on the decision taken by the Israeli authorities to build housing for Jewish settlers in the area of Jabal Abu Ghneim in the southern part of East Jerusalem.

Our Committee vehemently deplores this decision, which is a violation of international law, the Fourth Geneva Convention and many relevant Security Council and General Assembly resolutions on the situation in occupied Palestine. The decision was particularly untimely in that on 15 January the Israeli Government and the Palestine Liberation Organization had reached agreement on redeployment in Hebron; that agreement, which was regarded as a major event by the international community, had given new impetus to the peace process.

The decision of the Israeli Government runs counter to the letter and the spirit of the Declaration of Principles on the Interim Self-Government Arrangements, which the Israeli Government and the Palestine Liberation Organization signed on 13 September 1993, as well as to agreements reached later, particularly the Interim Agreement on the West Bank and the Gaza Strip, signed in September 1995.

Moreover, this decision, along with the closing of four Palestinian offices in East Jerusalem, has come at a time when the Israeli army continues to seal off Palestinian territories and is delaying its withdrawal from some sectors in the West Bank, thereby jeopardizing the continuation of the peace process. As these measures were taken just before the new stage of negotiations on Jerusalem, they seem to take on the character of *fait accompli*. In short, this decision undermines the credibility of the entire peace process and has created undesirable tensions in the region at this crucial stage of the status negotiations on the final status of the Palestinian territories.

This new attempt to Judaize Jerusalem, coming after the attempt in May 1995 and the various confiscations of Palestinian land to establish or expand Israeli settlements, have all provoked the general disapproval of the international community and confounded sensibilities.

The sponsors of the peace process, as well as the European Union, the League of Arab States and the Organization of the Islamic Conference, have all unanimously condemned this policy. The Organization of African Unity, whose Council of Ministers was meeting at the time, also adopted a resolution reflecting the concerns of the international community.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People, through me, would like to associate itself with this great movement in order urgently to call upon the Israeli Government to refrain from altering the physical character, the demographic composition and the institutional structure of the city of Jerusalem and the status of the Palestinian territories and other Arab territories occupied since 1967. It calls upon Israel above all to implement quickly and comprehensively the agreements already concluded between Israel and the Palestine Liberation Organization in order to create the necessary conditions for a just and lasting settlement on the basis of Security Council resolutions 242 (1967), 338 (1973), 465 (1980) and 478 (1980).

The Committee believes that real political will is essential to relaunching the peace process and to preventing the current situation from deteriorating further, thus damaging the efforts of many persons of good will to establish an era of peace and stability in the Middle East.

As has been forcefully reaffirmed by previous speakers, if we wish to achieve reconciliation, establish a commonality of interests and realize the desire to live shared by the Palestinian and Israeli parties, there is no alternative to the agreements already reached.

History has often shown us over the course of the centuries that attempts to impose demands solely by force can only unleash a bloodbath and are usually doomed to failure. The sooner the Israeli leaders recognize that peace and stability are based on compromise and that mutual interests and the establishment of a partnership cannot be imposed unilaterally, the better it will be for all the peoples of the region. The policies and attitudes of the occupier and the denial of the legitimate rights and aspirations of the Palestinian people are incompatible with efforts to pursue the current peace process.

In convening this meeting, the members of the Security Council have shown that the decision taken by the Israeli Government is a source of major concern for the international community as a whole. The Committee on the Exercise of the Inalienable Rights of the Palestinian People therefore hopes that, at the end of this debate, the Council will demonstrate to world public opinion its unshakable will to annul the Israeli decision to build housing for Jewish settlers in Jabal Abu Ghneim and to put an end to the policy of the Judaization of the Holy City of Jerusalem, a symbol of peaceful coexistence of peoples and religions.

It is time for all the peoples of the region, who have brought such transcendental messages to the world, to learn to live together, respect one another and create the necessary conditions for peace and trust, the benefits of which will redound to the entire region.

The President: There are further speakers on my list. In view of the lateness of the hour, and with the consent of the Council, I intend to suspend the meeting now.

United Nations S/PV.3745 (Resumption 1)

Security Council

Fifty-second Year

Provisional

3745th Meeting

Thursday, 6 March 1997, 10.30 a.m.

New York

President:	Mr. Wlosowicz	(Poland)
Members:	Chile	Mr. Larraín
	China	Mr. Liu Jieyi
	Costa Rica	Mr. Berrocal Soto
	Egypt	Mr. Elaraby
	France	Mr. Thiebaud
	Guinea-Bissau	Mr. Cabral
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Republic of Korea	Mr. Choi
	Russian Federation	Mr. Fedotov
	Sweden	Mr. Osvald
	United Kingdom of Great Britain and Northern Ireland	Sir John Weston
	United States of America	Mr. Richardson

Agenda

The situation in the occupied Arab territories

97-85198 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was suspended at 6.35 p.m., 5 March 1997, and resumed at 10.50 a.m., 6 March 1997.

The President: I should like to inform the Council that I have just received a letter from the representative of Malta in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Pace (Malta) took the seat reserved for him at the side of the Council Chamber.

The President: The next speaker is the representative of Algeria. I invite him to take a seat at the Council table and to make his statement.

Mr. Baali (Algeria) (*interpretation from Arabic*): First of all, Sir, I should like to convey to you my most sincere congratulations on your assumption of the presidency of the Security Council for this month. I am firmly convinced that your well-known wisdom and experience and your knowledge of world affairs will ensure the successful completion of the Council's work.

I also take pleasure in extending my thanks and paying tribute to my dear brother, the Permanent Representative of Kenya to the United Nations, for his competence in leading this body during a period when its activity was on the increase.

At a time when hopes were being raised that the peace process was once again slowly moving in the right direction — in spite of all the obstacles created by the Israeli authorities, which had almost brought the process to a standstill — these authorities decided to build a major settlement within East Jerusalem. It appears as if the goal of this serious step is to undermine the peace process as a whole and to provoke the international community, and in particular the Council, which has repeatedly condemned the settlements policy.

Indeed, this policy cannot be taken in isolation. It is part of the considered, calculated plan followed by the Israeli authorities since the occupation of Jerusalem and the other Arab territories — a plan designed to continue the settlement policy, whatever the cost, whatever the international reaction and whatever the grave dangers involved for peace.

Everyone — including the Israeli authorities — knows that the settlements policy flagrantly contravenes the basic tenets of the peace process. This policy is contrary to the spirit and the letter of the Israeli-Palestinian peace accords and the American guarantees submitted to the Arab parties at the Madrid Peace Conference. This policy is also quite clearly a violation of the relevant United Nations resolutions, including Security Council resolutions, which have consistently stated that the measures and steps taken by the Israeli authorities, including the expropriation of land and property, are null and void.

In this connection, we should like to refer to an important resolution adopted by the Council. Resolution 476 (1980) forbids any alteration of the geographic or demographic nature of the city of Jerusalem. Consequently, this latest Israeli measure is null and void and can receive no international recognition.

Apart from the fact that this decision by Israel represents a flagrant violation of international law and of the Fourth Geneva Convention, we are even more concerned at the fact that the proposed Israeli settlement is intended to house 35,000 Jews from all different areas. It is part of a broader project that began in 1967, under which more than 39,000 housing units have been built in East Jerusalem. This project would open up Jerusalem to tens of thousands of Jewish settlers. It is designed radically to change the demographic nature of the Holy City, thereby serving the purposes of the Israeli authorities: to use this new status as a means for manoeuvres and pressure during the upcoming negotiations on the future of the city.

Algeria reaffirms its dedication to a just and comprehensive peace as a strategic choice of the Arab nation — a peace based on internationally binding resolutions and on the principle of land for peace. Algeria therefore vigorously condemns this latest Israeli measure and demands that it be rescinded.

The Israeli authorities have been pursuing a policy of provocation and of *fait accompli* vis-à-vis the international community and internationally binding resolutions, including Security Council resolution 1073 (1996), which has not yet been implemented. In the face of the grave risks and dangers that the latest Israeli

measures pose for the peace process and for security and stability in the region as a whole, our Council must today fully discharge its responsibilities and react immediately and in a practical manner to bring pressure to bear on the Israeli authorities so that they rescind their decision. This would reaffirm the credibility of the Council in the area of the maintenance of international peace and security and in restoring justice and the rule of law.

The President: I thank the representative of Algeria for the kind words he addressed to me. The next speaker is the representative of the United Arab Emirates. I invite him to take a seat at the Council table and to make his statement.

Mr. Samhan (United Arab Emirates) (*interpretation from Arabic*): I am pleased to convey to you, Sir, on behalf of the delegation of the United Arab Emirates, our heartfelt congratulations on your assumption of the presidency of the Security Council for this month. We would like also to express our sincere thanks to your predecessor, the Permanent Representative of Kenya, for the exemplary way in which he conducted the business of the Council last month.

The Security Council is meeting today to consider the decision of the Israeli Government to establish a new Jewish settlement comprising 6,500 housing units in the southern part of occupied East Jerusalem — specifically in the area of Jabal Abu Ghneim — only days before the beginning of the final status negotiations. The Council's consideration of this subject is an expression of the deep concern of its members regarding the grave consequences to the peace process of the Israeli decision. In particular, that decision runs counter to the clear political and legal principles reaffirmed in Security Council resolutions 242 (1967) and 338 (1973) and to the principle that territory may not be acquired by force. All this makes it clear that such measures are both illegal and null and void.

This Israeli scheme, aimed at the Judaization of East Jerusalem and the consolidation of the occupation is a sequel to previous settlement schemes, including the opening of the tunnel under the Haram al-Sharif by Israeli forces in defiance of Security Council resolution 1073 (1996); the demolition of the building belonging to the Burj al-Laqlaq association within the walls of the Old City; the denial of the right of residence to Palestinians; the expropriation of their land, in particular in East Jerusalem in preparation for an illegal campaign for the absorption of thousands of new Jewish immigrants at the expense of the Palestinian people. In addition, Israeli authorities continue to isolate the city of East Jerusalem from the other cities of the West Bank and to deny Palestinians access to the Holy City. Recently, the Israeli authorities closed the offices of Palestinian national institutions.

All these measures are null and void. They have also been rejected not only by the Palestinian and Arab peoples of the occupied territories, but also by all peace-loving countries and peoples of the world. Given the spiritual and cultural importance of this Holy City for the three divine religions, it should be a city of peace, tolerance and coexistence for the peoples of the region instead of a cause for war and conflict.

The United Arab Emirates condemns all these Israeli infractions. We consider them to be flagrant violations of Security Council resolutions, international law, the Madrid framework and the agreements concluded by the Palestine Liberation Organization and Israel. Indeed, these measures strip the peace process of all content. They are provocations aimed at the Palestinian and Arab peoples and can only result in an escalation of violence and tension in the occupied Arab and Palestinian territories. They also threaten international and regional peace and security. They run counter not only to the agreements reached between the Palestinians and the Israelis, but also to internationally recognized human rights norms, the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons In Time of War, and the Hague Convention of 1907.

The United Arab Emirates reiterates its full support for the demands of the Palestinian people, who reject all these unjust settlement activities in their territories, and in particular in Jerusalem. The United Arab Emirates looks forward to the full assumption by the international community and the sponsors of the peace process of their responsibilities with regard to the question of Palestine and its many facets in order to ensure Israel's compliance with its obligations under the peace agreements and the relevant resolutions of international law providing for the immediate cessation of the establishment and expansion of Israeli settlements and the dismantling of those that exist within the occupied Palestinian and Arab territories.

The Israeli Government's continued defiance of the resolutions of the Security Council and the relevant agreements — in total disregard of all moral norms and values, as well as the principles of the United Nations Charter and of international law — is indeed a dangerous phenomenon. It not only undermines the peace process, but creates an abnormal environment in international

relations. The Security Council is therefore urgently required to adopt the measures necessary to persuade Israel to abrogate its recent decision concerning East Jerusalem and immediately to stop all its other settlement practices and legislation, including the expulsion of the inhabitants, the closure of their national institutions, the expropriation of Arab and Palestinian land and property and all the other forms of daily harassment of the Palestinian people by the occupation authorities.

The United Arab Emirates reaffirms the importance of the resumption of negotiations on all tracks, including the Syrian and Lebanese tracks, in order to achieve a just, lasting and peaceful settlement based on the Madrid Conference framework, the principle of land for peace, the agreements concluded and the relevant Security Council resolutions, in particular resolutions 242 (1967), 338 (1973) and 425 (1978). The just and lasting peace sought by the Arab countries is a strategic objective that requires a corresponding commitment from the Israeli Government. That Government should ensure the restoration of the legitimate rights of the Palestinian people, the complete Israeli withdrawal from all occupied Arab and Palestinian territories, including Al-Quds, the Syrian Golan and southern Lebanon. This would fulfil the aspirations of the countries of the region for stability, peace, and social and economic development.

The President: The next speaker is the representative of Tunisia. I invite him to take a seat at the Council table and to make his statement.

Mr. Abdellah (Tunisia) (*interpretation from Arabic*): I am pleased to congratulate you, Sir, on your assumption of the presidency of the Security Council. I wish you every success in your endeavours. I also wish to express our most sincere and profound thanks to Mr. Mahugu, the Ambassador of Kenya, for having guided the Council's work so well last month.

The international community had hardly breathed a sigh of relief after the signing of the Al-Khalil protocol — in spite of the lacunae in that agreement — when the Israeli Government announced plans for a new Israel in Jabal Abu Ghneim in occupied East Jerusalem. These plans are in violation of the signed agreement and represent a consistent wish to impose a policy of *fait accompli*.

The Israeli Government disregards the counsel of all those who have asked it to refrain from taking this ill-conceived measure, showing its inability to gauge the consequences of such an action. International public opinion and the international community promptly denounced this unjust decision and demanded that the Israeli Government refrain from building the settlement and provoking the Palestinians.

Last week, this Council adopted a very clear position. The President of the Council at that time, Ambassador Mahugu, expressed the Council's concern after Israel had announced its intention to take this decision. The Council requested Israel to refrain from any action that might endanger the peace process. It is regrettable that the Council did not receive from the Israeli Government the clarification requested on the steps it intended to take. Its response contained fallacious reasoning, as all observers of the settlement policies implemented by Israel in the occupied Arab territories were aware. These policies were in flagrant violation of the Fourth Geneva Convention, decisions under international law and even the Oslo accords.

It is clear that the building of this new settlement is part of a plan to isolate Jerusalem from the rest of the West Bank, change the urban environment and the demographic composition of the population and impose a new reality on the ground, which would thwart the desire to see international agreements respected.

The peace process in the Middle East has been based on Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace. The Oslo accords were in keeping with these principles and developed a step-by-step plan for their implementation, a plan aimed at establishing trust between the two parties in order to facilitate the attainment of the objectives. It was agreed that certain important subjects would be deferred until the negotiation of the definitive settlement, given the delicate and sensitive nature of these matters. This in no way authorizes changing the facts on the ground or redefining the situation in order to leave the negotiations devoid of substance and remove their *raison d'être*.

East Jerusalem is an occupied land beyond Israeli sovereignty. The annexation decision taken by Israel has no legal validity, and any measure aimed at prejudging the results of the final negotiations runs counter to the text and the spirit of the peace process and jeopardizes it.

From the very beginning, Tunisia has always worked persistently and with determination to ensure the success of the peace process, because we are firmly convinced that only by peaceful means can the issue of Palestine and the Israeli-Arab conflict be resolved. Tunisia is therefore

deeply concerned and disturbed by certain Israeli practices that utterly contradict the agreements reached. Should they continue, these practices would only push the region back into a cycle of violence and confrontation.

We invite this Council to make it clear to Israel how important it is to pursue the peace process and preserve it from failure. This peace process is an international accomplishment, and no party has the right to manipulate it and jeopardize its foundations.

The question of the city of Jerusalem is a grave one for the Palestinian people, first and foremost, but also for all Muslims, for whom Al-Quds is the first direction of prayer and the third of the Holy Places. Jerusalem/Al-Quds is a highly symbolic place of very special importance from a religious standpoint. Israel constantly attempts to weaken this aspect by insisting on the Judaization of the city and by placing obstacles in the way of its Arab, Muslim and Christian inhabitants in order to encourage them to emigrate.

The building of a settlement in Jabal Abu Ghneim, which until 1967 was part of the municipality of Bethlehem, is an attempt to cut the links between Christian Palestinians in Al-Quds and in Bethlehem, the cradle of Christianity, and to reduce the Christian presence in the region. At a time when the inhabitants of Al-Quds are being prohibited from rebuilding their homes, when they are fined for doing so, obtaining building permits has been made dependent on their allowing Jewish extremists to lay hands on Arab territories in the city. On the basis of this same strange logic, the Israeli Government is establishing a link between Palestinian acceptance of the decision to build this new settlement and the completion of the withdrawal of its forces from certain areas of the West Bank by virtue of the agreement reached between the Government of Israel and the Palestinian National Authority, thus endangering the implementation of contractual obligations.

It is perhaps useful to recall that whenever the world denounced such decisions in the past, Israel hastened to claim that its agreement to the construction of Arab dwellings came in exchange for the building of settlements; this is what Israel announced this time again, in an attempt to mislead the international community. These policies are completely illegal. Moreover these ploys are aimed at justifying the construction of settlements, which usually takes place in the calm that follows the storm and in the end have no effect on the ground.

This Council must take a firm stand regarding this Israeli policy of settlements, which undermines the foundations of the peace process. One either respects the principles of the Madrid Conference and of the Oslo accords or one doesn't. Should the settlement policy in occupied Palestinian lands, including East Jerusalem, continue, along with continued violations of the Fourth Geneva Convention and lack of respect for commitments, the peace process can only be endangered.

The international community, represented here by this Council, must condemn the construction of the Jabal Abu Ghneim settlement and oblige Israel to reverse its decision and adopt a policy that establishes trust, without which no step forward can be taken to find a definitive solution to the issue of Palestine.

The President: I thank the representative of Tunisia for his kind words addressed to me. The next speaker is the representative of Kuwait. I invite him to take a seat at the Council table and to make his statement.

Mr. Abulhasan (Kuwait) (*interpretation from Arabic*): First of all, on behalf of my delegation, I would like to congratulate you, Sir, on your assumption of the presidency for this month. I am convinced that you shall lead the work of this Council to success. I would also like to thank your predecessor, the Ambassador of Kenya, for leading the work of the Council last month. I would like to commend him on the exceptional manner in which he led the work of the Council.

We are meeting here in the Council today to discuss one of the most serious measures adopted by the Israeli Government in the occupied Palestinian territories and in Al-Quds Al-Sharif. Contrary to measures that we had hoped would bring us closer to peace and stability, we now find ourselves faced with regressive steps that destroy peace and shake confidence rather than consolidate it, dashing our spirits instead of raising them. Measures such as those being adopted by the Israeli Government as part of an ongoing policy are designed to thwart all the efforts now being made for peace. This Government does not realize that, in the final analysis, these policies will lead to confrontation, violence, instability and a resumption of tension, whereas all peoples in the region want to see such tensions disappear. We believe that this cycle of violence will in fact negate the very concept of security as understood by the Israeli Government.

My Government has followed with great concern the latest decision of the Israeli Government to build 6,500 housing units in the East Jerusalem neighbourhood of Jabal Abu Ghneim. This decision is part and parcel of a series of steps that compel us to call into question the very intentions of Israel with regard to Al-Quds Al-Sharif.

The Arab and Muslim world, for its part, has also followed Israel's illegal measures, which include the plan to create a settlement in the Ras al-Amud section within the original borders of the municipality of East Jerusalem; the continued opening of the tunnel under Haram al-Sharif, in spite of the adoption of Security Council resolution 1073 (1996); the Israeli authorities' ongoing deprival of the Palestinian inhabitants of the city of their right of residence; and the Israeli authorities' isolation of the city of East Jerusalem and the West Bank. Kuwait reaffirms here that this Israeli plan violates the Fourth Geneva Convention of 1949, the Hague Rules of 1907 and all Security Council resolutions on Al-Quds. This Israeli plan is also a serious violation of the Declaration of Principles signed by the Israeli Government and the Palestine Liberation Organization in 1993.

Today, quite obviously, the Israeli Government would like to impose more *faits accomplis*. It wishes to make these facts reality on the ground in order to drive out the population of the city and to create settlements within and outside the city before negotiating its final status. This only confirms that the Israeli policies are the result not of arbitrary measures or spontaneous decisions, but of a calculated plan to increase the authority of the new Israeli Government and the adoption by that Government of a policy of expansion that violates all conventions and international norms. This policy also represents the culmination of the new strategy of the Israeli Government to abrogate all these agreements, to shirk its commitments and to obviate the principle of land for peace. The policy of expansion at all costs by the Israeli Government threatens to bring the region to the brink of destruction and violence.

The Arab and Muslim world, of course, can only condemn such violations and demands that the Israeli Government put an end to the violation of Arab rights under the pretext of security. We demand that the Israeli Government also try to find ways to support the peace process. We call on it to respect the principles on which the process was based in 1991 in Madrid so that it can resume on all its tracks, especially the Syrian and Lebanese tracks, and on the basis of the principle of land for peace. In this way will the Middle East become a region of security and peace for all time.

In conclusion, Kuwait appeals to this body to take a speedy decision to prevent Israel from implementing such a plan. We call upon the Council to shoulder its responsibilities to preserve the sacred nature of Al-Quds and urge it to uphold international legality. This Council cannot disappoint the hopes of peoples for lasting peace simply because some people do not respect international rule of law.

The President: I thank the representative of Kuwait for his kind words addressed to me.

The next speaker is the representative of Indonesia. I invite him to take a seat at the Council table and to make his statement.

Mr. Wisnumurti (Indonesia): Permit me at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. My delegation has full knowledge of your diplomatic skills and leadership qualities and is therefore assured that, with you as President, the work of the Council is indeed in capable hands. May I also take this opportunity to extend our felicitations to your predecessor, Ambassador Njuguna Mahugu of Kenya, for his outstanding leadership and contributions to the work of the Council during the month of February.

My delegation is deeply concerned over Israel's decision on 26 February 1997 to pursue its unlawful policy of establishing settlements in the Holy City of Jerusalem. This decision to build new settlements in Jabal Abu Ghneim in Jerusalem represents the latest brazen attempt at preempting the outcome of negotiations on final status by changing the legal status and demographic composition of Jerusalem. Over the years, we have chronicled a series of Israeli policies and practices — most recently, the decision to build another new settlement in the Ras al-Amud region and the opening of the tunnel located within the Haram al-Sharif — all of which are aimed at creating new facts on the ground to the detriment not only of the interests of the Palestinian people, but also of the very peace process itself.

These actions were unacceptable then, are unacceptable now and will be unacceptable in the future. They are in clear violation of Security Council and General Assembly resolutions and incompatible with the Declaration of Principles, subsequent agreements, both in

letter and in spirit, and indeed with generally accepted principles of international law.

This latest negative development is particularly unfortunate against the backdrop of recent signs that the peace process has returned to its proper course despite Israeli procrastination and attempts at reinterpreting agreements already reached. This is fully demonstrated by the agreement reached earlier this year on the complex issue of Israeli withdrawal from Hebron. However, all of this, not least of which is the mutual trust and confidence which have assiduously been built over the past four years, is being placed in jeopardy by Israel.

Furthermore, we are concerned that the arbitrary acts by Israel may provoke a new wave of Palestinian anger and frustration, with unpredictable consequences. Yet we should be clear where the onus of responsibility lies. The Government of Israel cannot shirk its responsibility for the consequences emanating from its ill-conceived policies and practices.

In this regard, the Islamic Group of the Organization of the Islamic Conference (OIC) in New York, at its meeting held on 3 March 1997, issued a communiqué in which it calls on the Security Council, *inter alia*, to take urgent steps to ensure that the Government of Israel reverses its decision and renounces any settlement activity in all occupied Arab territories, in particular East Jerusalem. My delegation is therefore hopeful that our deliberations today will lead to the adoption by the Council of concrete measures to reverse these latest Israeli transgressions in the occupied territories, as called for by the Islamic Group and the Group of Arab States.

The peace process in the Middle East has raised hopes for a new era of peace, stability and prosperity for the peoples of the region, including the long-suffering Palestinian people. Indonesia has long stood firm on the principles of respect for the rights of the Palestinians and their claim to sovereignty over their land. The peace agreements signed by Israel and the Palestinians have been the stepping stones to a new level of relations between the peoples of Israel and Palestine. The peace process was to mean that differences could be worked out through negotiations and that the interests and needs of both parties would be respected. Unilateral Israeli actions were to be part of the past and violence would subside. Clearly, however, challenges abound in the realization of such a vision.

Given the provocative measures taken by Israel, my delegation would like to commend the Palestinian Authority for encouraging restraint and opting for peaceful methods to resolve the current crisis. Moderation should be a key word while the parties navigate the difficult waters of establishing peace in the Middle East base on Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Actions that could jeopardize this fragile process must be avoided and the endeavours for peace must be made irreversible.

The gains attained thus far in the peace process are indeed of historic significance. It is now up to Israel scrupulously to implement the provisions of the various agreements reached with the Palestinians. The recent agreement on Hebron should be followed by negotiations on other contentious issues, most notably the future status of Jerusalem, the question of settlements, refugees and borders, as well as the final status of the occupied territories.

Through peace, the Middle East has the potential for great transformation, both economically and politically. The peace process and the relevant agreements that have been accepted by both parties must be implemented in their entirety with consistency and fairness, not selectively, sporadically and conditionally.

The President: The next speaker is the representative of the Syrian Arab Republic. I invite him to take a seat at the Council table and to make his statement.

Mr. Wehbe (Syria) (*interpretation from Arabic*): I would like at the outset of my statement to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for this month. We are convinced that your wisdom and experience will contribute to ensuring the success of the Council during this period. I would also like to take this opportunity to express our thanks and profound appreciation to your predecessor, the Ambassador of Kenya, for his efforts last month.

Given the attempts made in the occupied Arab territories to undermine the foundations of the peace process in the Middle East, the Security Council is meeting under extremely delicate and important circumstances. Israel is once again defying international will by taking the decision to build a new settlement and to continue its settlement activities in the region of Jabal Abu Ghneim in the southern part of East Jerusalem.

It is no longer possible to remain silent in the face of all these injustices inflicted by Israel on the Palestinian people, particularly in the face of the serious and continued attempts to change the urban and demographic character of the City of Al-Quds, a historic and holy city and symbol. This is being done in order to enshrine the occupation of Al-Quds, judaize the Holy City and drive out the Arabs still living there.

All this constitutes a clear and flagrant violation of the principles and basis of the peace process and of the decisions of the international community — particularly Security Council resolutions 242 (1967), 252 (1968), 338 (1973) and 465 (1980) — that affirm the inadmissibility of the acquisition of territory by force. These decisions deem all measures and actions, including the expropriation of land and property, to be null and void and without effect on the status of occupied Jerusalem.

The Netanyahu Government planned this new provocation very well within the framework of his aggressive colonization and ongoing campaign to Judaize Al-Quds. Indeed, it has already built the first Jewish neighbourhood in the Al-Quds neighbourhood of Ras al-Amud. It is clear that this recent decision of the Israeli Government is aimed at creating an explosive situation, as was the opening of the tunnel under the Al-Aqsa Mosque. At that time, the Security Council adopted resolution 1073 (1996) of 28 September 1996. In that resolution, the Council called for:

> "the immediate cessation and reversal of all acts which have resulted in the aggravation of the situation, and which have negative implications for the Middle East peace process". (*res. 1073 (1996), para. 1*)

It is regrettable that Israel has not respected that resolution — just as it has not respected other internationally binding resolutions. Israel's feverish settlement activities may be seen in the framework of its aggressive behaviour, which is provocative and defies the binding decisions of the international community; the international community must firmly denounce and condemn that behaviour. The representatives who spoke here yesterday expressed that position exactly.

As early as 1 December 1996, the Council of the League of Arab States condemned the settlement activities in the occupied Arab territories and the attitude of the Israeli Government, which persisted in its expansion of the settlements in violation of international law and internationally binding decisions, in particular Security Council resolution 465 (1980). That resolution determined that the settlements were an obstruction to achieving peace, and called upon Israel to dismantle them. Resolution 497 (1981) declared null and void the Israeli decision to annex the occupied Golan; this was adopted following the Israeli Government's decision to expand its settlements in the occupied territories, in particular in the West Bank, the Arab part of Jerusalem, in Gaza and in the occupied Syrian Golan.

Likewise, the Foreign Ministers of the Organization of the Islamic Conference, meeting at Jakarta on 14 December 1996, called upon the international community, the Security Council, the sponsors of the peace process and the European Union to persuade Israel to abandon its settlement policies in the occupied Arab territories, including Al-Quds and the occupied Syrian Golan — which, it was stressed, are part of the occupied Arab territories. The Israeli authorities were called upon to end their settlement policies aimed at changing the demographic nature of Al-Quds, desecrating its Muslim and Christian holy places with a view to judaizing it, sealing it off and isolating it from the rest of the West Bank.

International reaction to these latest Israeli Government measures to intensify the settlement policies has focused on the following points: First, settlement activities undermine the peace process. Second, the Israeli decision raises doubts and does not inspire trust. Third, it could mark a return to violence and tension in the Middle East. Fourth, it constitutes a declaration of war against the Arab, Muslim and Christian worlds, against the peace process, and against efforts to revive that process. Fifth, the settlement policies foreshadow a new catastrophe in the region. Sixth, the international community is urged firmly to condemn past, present and future settlement policies. Seventh, the question of Al-Quds is extremely sensitive, and could become explosive.

Some condemnations of the settlement policy have been moderate. There have been appeals for an urgent meeting of the Al-Quds Committee presided over by His Majesty King Hassan II of Morocco, for an Arab summit, and for meetings of the Security Council. Yesterday and today in this Chamber, we all listened most attentively to the reactions of the representatives of many countries. They all called for prudence in the light of possible reactions to the Israeli decision.

With great arrogance, the Israeli Government has asked Arab leaders to shoulder their responsibilities and

demonstrate political wisdom — at a time when the Israeli Government is doing its best to destroy the peace process, with no regard for a just and comprehensive peace, while seeming determined to strike blow after blow against the peace process, thus to kill that process. We wonder, therefore, whether it is political wisdom to continue building settlements in the Holy City in the face of condemnation from the entire international community. Is it political wisdom for the Israeli authorities to harden their policies and attempt to return the peace process to square one? It seems to me that Israel simply wants the Arabs to yield, in order to demonstrate what it would call political wisdom.

True political wisdom dictates that the Arabs view the peace process as a strategic policy that must exist within a framework of international legality; this requires a serious commitment by Israel to continue the peace process and to restore rights in the occupied territories, in order to guarantee a balanced peace for all the countries of the region. This cannot take place if Israel continues to build settlements and undermine the whole peace process.

In the light of all these facts, and of the fact that Israel arrogantly continues its settlements and expansion despite the Arab choice of peace as its strategic option, we are obliged to ask a number of very important questions, relating not only to the seriousness of the Israeli Government, which is not respecting the peace process, but also to the Israeli intention to undermine that process.

We would recall that the leaders meeting at the Arab Summit held at Cairo from 21 to 23 June 1996 reaffirmed their commitment to the United Nations resolutions requiring non-recognition and non-acceptance of any situation resulting from Israeli settlement activities in the occupied Arab territories, inasmuch as such activities are unlawful and create no rights and no obligations. They considered that the establishment of settlements and the introduction of settlers violate the Geneva Conventions and the Madrid framework and represent an impediment to the peace process. There should thus be a halt to all Israeli settlement activities in the occupied Syrian Golan and the occupied Palestinian territories, especially Jerusalem, and the settlements should be removed. The leaders affirmed their rejection of any alteration to the physical characteristics or legal status of Arab Jerusalem.

We cannot remain silent about the settlement policy, because that policy could return the region to the cycle of violence and tension; this would be the sole responsibility of the Israeli Government.

Israel's arrogance stands in complete disregard of internationally binding decisions and of the position of the international community against the building of settlements. We have seen many Israeli statements, including Mr. Netanyahu's recent insistence that Jerusalem was the eternal, indivisible capital of Israel. In the face of this assault and in the face of the recent statement by the Israeli Minister of the Interior, as quoted in *The Washington Post* on 25 February, that the "battle of Jerusalem had begun", the Security Council, which bears responsibility for the maintenance of international peace, must succeed in seeing through all this and issue a presidential statement. It must take action commensurate with the need to put an end to the occupation of all the occupied territories, including Al-Quds and the occupied Syrian Golan.

Yesterday, the representatives of the United Kingdom and of many other countries addressed the Security Council; we are grateful to them for their statements. We also heard the representative of Israel, who tried to give us a history lesson. We are not here for history lessons.

I believe that statements by representatives of States in the Security Council and in the General Assembly are in themselves a response to the historical, political and geographic situation of the city of Jerusalem. On this basis, my country strongly condemns all these measures, such as Israel's settlement activities, be they the building of new settlements or the expansion of existing ones.

My country considers that all these measures are in violation of the principles of the peace process. The Israeli decisions that constitute provocation violate international law and internationally binding decisions and resolutions, and they undermine the foundations of the peace process. This can only undo the efforts that have been undertaken over the past five years, plunging the region back into a cycle of instability and conflict.

It is for this reason that we invite the Council and all the States of the world, and in particular the two sponsor States of the peace process and the European Union, to work speedily in order to put an end to the expansion of Israeli settlements; to dismantle existing settlements and to put pressure on Israel, the occupying Power, to respect the Hague Convention of 1907 and the Fourth Geneva Convention of 1949 — which prohibit any change in the demographic or urban character of the occupied territories, including Jerusalem and the occupied Syrian Golan — and to invite Israel to respect the resolutions of

the Security Council and of other organs of the United Nations.

We also invite the two sponsors of the peace process — the United States and the Russian Federation — as well as the States of the European Union to play their role in order to save the peace process, which is at an impasse and could even be in a state of regression.

Syria is fully prepared to conclude a just and comprehensive peace. We believe this to be a strategic choice as long as Israel participates seriously in the achievement of that goal in a way that ensures justice and human dignity, because this is in the interest of the peoples of the region. These are vital interests for the region and for the world.

If Israel is truly serious, if it wants to pursue the peace process, if it wants to achieve a just and comprehensive peace on the basis of Madrid, the principle of land for peace and Security Council resolution 242 (1967) and other resolutions, then Israel must continue negotiations from the point where they were interrupted during the tenure of the preceding Israeli Government. It must also withdraw to the line of 4 June 1967, without any attempt to impose preconditions, because these are the underpinnings and the frames of reference of the peace process — not preconditions.

The road to peace is open, and it is known to all. The security of States cannot be based on occupation, on expansion and on the refusal to recognize the rights of others. All those who are trying to convince the world that peace exists in the region are only lying to themselves, because a just and comprehensive peace cannot be achieved except through Israel's total withdrawal from the occupied Arab territories, through the respect for international legality and the principles of international law, and by restoring to the Palestinian people their legitimate rights, including the right to self-determination. This is what the countries of the region and the countries of the world at large want. This is how we will be able to achieve a just and comprehensive peace. This is how peace and stability will be brought to the region and to the world.

Israel cannot build settlements and drive out the Arab peoples; it can bring in Jewish settlers who have never before lived in that region and whose ancestors have never lived in that region. Israel can continue to expand. It can continue to demolish houses and to kill people in the occupied Arab territories, but everyone must be aware that Israel will not be able to stifle the Arab will. Israel's only choice, therefore, is to work towards a genuine, just and comprehensive peace.

Today, the eyes of the world are on the Council. We are waiting for the Council to shoulder its responsibilities and adopt a resolution that demands that Israel, the occupying Power, immediately put an end to its settlement activities in all the occupied Arab territories, including Jerusalem and the Golan.

The President: I thank the representative of the Syrian Arab Republic for the kind words he addressed to me.

The next speaker is the representative of Saudi Arabia. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Ahmed (Saudi Arabia) (*interpretation from Arabic*): It gives me pleasure to congratulate you, Sir, on your assumption of the presidency for this month, and I wish you every success in the discharge of your responsibilities. I should like also to thank your predecessor for his outstanding performance as President of the Security Council during the past month.

Holy Jerusalem is the crux of the Arab-Israeli conflict and the most pivotal issue for the Arab Muslim world. The way in which this issue will be resolved will decide the future of the peace process as a whole. We are concerned to see the Israeli authorities continuing to commit certain acts that are intended to change the Holy City's demographic and institutional character in order to Judaize Arab Jerusalem and alter its legal, historical, religious and cultural reality. This is a violation of the Fourth Geneva Convention of 1949 and the Hague Convention of 1907. It will also prejudge the negotiations on the final status of that city.

The Holy City of Jerusalem is of the utmost importance to the Arab and Muslim worlds, to the world community as a whole and to the three monotheistic religions. That is why the illegal Israeli policies and practices in Jerusalem are of an extreme gravity.

The announcement by the Israeli Government that it intends to build a new settlement comprising 6,500 housing units in East Jerusalem, in the area of Jabal Abu Ghneim, is but the latest in a series of policies and acts aimed at expanding the settlements, notwithstanding the fact that the international community and the Security Council have issued clear resolutions declaring such

policies illegal, null and void. In addition, the international community has demanded that Israel desist from such policies and practices. Despite all these clear signals, the Israeli authorities continue their dangerous practices and policies in the occupied Palestinian territories, disregarding every convention and recognizing no right, as if no deterrent could bring them back to legal norms.

Some of the most continually destabilizing factors in the occupied territories are the Israeli settlements in the West Bank and the Gaza strip and their constant expansion. One can only imagine how dangerous this would be within Holy Jerusalem. The city is the first *kiblah* and the third-holiest place for Muslims, and the center of Muslims' attention. They will not be satisfied until all their rights are restored to them in this Holy City. The announcement by the Israeli Government that it intends to build a new settlement in East Jerusalem despite all Arab, Islamic and international warnings constitutes a new challenge to the international community and threatens the return of tension to the region, where violence and instability will prevail once again.

The Kingdom of Saudi Arabia affirms that no lasting peace will be achieved in the Middle East without a just solution to the issue of Holy Jerusalem in accordance with Security Council resolutions 242 (1967) and 338 (1973), which demand Israel's withdrawal from the Arab territories occupied in 1967, and resolution 252 (1968), which deals with Jerusalem. Accordingly, the future of the Middle East and peace in that region are in the hands of the international community. Unless the international community moves to save this peace by demanding that Israel cease its settlement practices and policies in the city of Jerusalem, the peace process in the Middle East and the integrity of the agreements already signed between parties to the conflict will be seriously threatened.

The Government of the custodian of the two holy mosques considers that the decision of the current Israeli Government to build new settlements in Holy Jerusalem is illegal and constitutes a dangerous violation of international conventions and agreements. This decision reaffirms the continuation of the Israeli Government's plans to Judaize the city of Jerusalem and efface its Arab and Islamic character. Saudi Arabia also believes that such policies and practices contribute to increasing tension; in addition, the Israeli Government loses its credibility in the context of the peace process and thus threatens to destroy that process.

The Kingdom of Saudi Arabia, under the leadership of the custodian of the two holy mosques, rejects the continual Israeli attempts to build new settlements. We also emphasize the extreme gravity of this decision and ask the Security Council to make every necessary effort to ensure that Israel, as the occupying Power, will desist from these policies and practices, and in particular will completely stop any settlement activity in Arab Jerusalem. Failure to achieve this will push the region back into a spiral of conflict, tension and instability.

We hope that the Security Council will discharge its responsibilities in connection with events in Holy Jerusalem to prove to the whole world that it is on the side of righteousness and legitimacy.

The President: I thank the representative of Saudi Arabia for his kind words addressed to me.

The next speaker is the representative of Jordan. I invite him to take a seat at the Council table and to make his statement.

Mr. Abu-Nimah (Jordan) (*interpretation from Arabic*): At the outset, I have the pleasure of extending to you, Sir, my congratulations on your assumption of the presidency of the Council for this month. I am deeply convinced that your wisdom, long experience and knowledge of world affairs will lead the Council to success. I would also like to extend my congratulations to your predecessor, the Permanent Representative of Kenya, Ambassador Mahugu, for all his efforts in leading the Council last month.

I also take pleasure in thanking you for convening this meeting on an urgent basis, at the request of the Arab Group, in order to discuss a very important issue. In acceding so quickly to that request, the Council has shown that it sees the danger posed by any impasse in the peace process, while also showing its concern for shouldering its responsibility with regard to this issue.

The Israeli Government has taken the decision to create a new settlement in the southern part of East Jerusalem, in Jabal Abu Ghneim, on the road to Bethlehem in Arab territory. Israel should have returned this land to the Arab Palestinian population as part of the peace process and on the basis of one of the essential tenets and foundations of the peace process: the exchange of occupied Arab land for peace.

Jordan has already expressed its firm opposition to the Israeli decision because it believes that the Arab city of Jerusalem is territory that has been occupied since

1967, like the rest of the West Bank. This Israeli decision poses a great danger and is fraught with consequences. This step runs counter to all the foundations of the peace process; to the Madrid principle of land for peace; to Security Council resolution 242 (1967), which affirms that the acquisition of territories by force is illegal; to resolutions 338 (1973) and 242 (1967), which are the reference points for the peace process; and to international law, the Fourth Geneva Convention of 1949 and the Hague Rules of 1907 and their annexes. This decision constitutes a violation of the right to private property, and an attempt to expropriate territories and force out the population. It also goes against all the resolutions adopted by this Council. Israel has always refused to renounce its settlement activities.

There have been some positive achievements since the Madrid Peace Conference. The Arab side has shown that it can be committed to peace, that it can work seriously and sincerely for achieving peace. As part of this process, Jordan, for its part, signed in autumn 1994 a full peace treaty with Israel. Jordan has complied with all the modalities and commitments of that treaty. Jordan continues to comply with all the requirements of the peace process. The Palestinians and Israelis, for their part, have concluded the Oslo agreements and other important agreements, each of which is a step towards the goal of a final agreement and comprehensive peace for both parties. The latest agreement is on the partial withdrawal from Al-Khalil.

There can be no doubt that the Palestinian side has honoured all its agreements, especially with regard to the suppression of all violent demonstrations and in connection with serious security assurances in all areas under the control of the Palestinian National Authority, with strict respect for the most important Israeli requests. Furthermore, a number of Arab States from outside the region, stirred by their desire to support peace and to see it restored in lasting form, have established relations with Israel and have tried every possible means of dealing with Israel and cooperating with it.

We hope that all these achievements will lead to additional achievements, and will culminate in the restoration of the comprehensive and lasting peace we all desire. We hope that this will put the region on the path towards economic reconstruction and development and scientific and technological progress, which will make peace meaningful and help remedy the effects of decades of conflict and bloodshed in the region.

Unfortunately, this has not been the case. Tensions have worsened. Today we see that, after thinking that the peace process would move forward, the fear has now arisen that the peace process will move backwards. This is evidenced by the fact that some States have stopped actions intended to normalize relations with Israel.

We are deeply concerned to see the peace process take a turn for the worse in the area because of Israel's non-compliance with the principles of peace. The problem we are addressing today in the Council is not Israel's first violation. Israel has persisted in its settlement activities in occupied Arab territories and has not fulfilled its commitments. Indeed, the Council was compelled to meet last September when Israel opened a tunnel beneath a mosque, prompting an outbreak of violence and violating the rights of Palestinians and the feelings of the Arab and Muslim world. We also saw the delays in implementation of the Al-Khalil protocol, despite the conclusion of this agreement by the previous Israeli Government.

The continuation of these measures, the ongoing expulsions and demolition of homes, the issuance of identity cards to the inhabitants of Al-Quds and their lack of access to holy sites in the city and the isolation of territories are all practices that created the atmosphere that prevailed in the region a few years ago and which we believed was a thing of the past.

The persistence with which Israel continues to occupy lands and create settlements clearly demonstrates that Israel is not committed to shouldering its responsibilities and complying with its commitment to return occupied lands to their rightful owners in exchange for peace. How, then, can we hope that peace might be achieved? The only way to establish peace is to comply with all the agreements concluded. We cannot contemplate peace without a return of land in accordance with the peace process. It is because we believe in peace and that peace is a necessity for all peoples and States in the region — and first and foremost for Israel — that we urge this Council to assume its responsibilities and speedily to adopt a firm resolution that will declare null and void the steps Israel has taken while demanding that Israel rescind its decision, cease any settlement activities and remove any obstacles that might hinder steps towards peace.

We also call upon the international community, and those responsible for the peace process in particular, to oppose these settlement activities by compelling Israel to rescind its decisions and to pursue the path of peace.

We consider the commitment to peace and to complying with all of its requirements to be our only choice. We will never flinch in the face of this commitment and shall always devote ourselves to this goal. We know the consequences for the region should peace fail to materialize, but peace cannot be achieved on a unilateral basis; it can be consolidated only if all parties to the process choose peace and if this process is based on justice and mutual recognition of legitimate rights and requirements.

The President: I thank the representative of Jordan for his kind words addressed to me.

The next speaker is the representative of Bangladesh. I invite him to take a seat at the Council table and to make his statement.

Mr. Chowdhury (Bangladesh): I would like to join my colleagues in congratulating you, Sir, on your assumption of the presidency of the Council for this month. Allow me also to pay a warm tribute to Ambassador Mahugu of Kenya for his wise and skilful guidance of the proceedings of the Council in February.

A series of intense negotiations and considerable sacrifices have shaped the momentum of the Middle East peace process, which began in Madrid in 1991 and was formalized in the Declaration of Principles and subsequent agreements. Despite often deep frustrations, the international community hoped that Israel would honour its commitment to the peace package in all its aspects. Unfortunately, Israel has often faltered, under various excuses and pretexts, in fulfilling its obligations. Nonetheless, with the recent signing of the Hebron protocol, the prospects for a continued partnership in peace between the Palestinian Authority and the Israeli Government grew brighter. The basis for final status negotiations on Jerusalem and other remaining issues was laid out in a workable framework. It was in this context that Bangladesh welcomed the signing of the Hebron protocol and expressed the hope that all parties would work towards the creation and nourishment of a climate for achieving a just and comprehensive peace in the Middle East. At the same time, we reiterated that the immediate withdrawal of Israeli troops from all occupied Arab and Palestinian lands was an essential prerequisite for this goal.

We were jolted by the recent decision of the Israeli Government to build new settlements in Jabal Abu Ghneim in East Jerusalem. Clearly, this move not only violates the spirit and terms of the agreements to which the Israeli Government is a party, but also raises serious doubt about the sincerity of the Israeli Government towards the entire peace process. Israel is now trying to preempt the outcome of the negotiations on the final status by changing the legal and demographic composition of the Holy City of Jerusalem. But we want to remind Israel that Jerusalem is not only a city as close to the hearts of the Palestinians as to the Israelis themselves; it is a place of crucial importance to the entire Muslim world, in particular, and to the international community in general.

Jerusalem constitutes the critical test of Israeli's sincerity and commitment to the peace process. It is a commitment Israel has made so many times to the international community. No mistake should be made that the Israeli move on Jerusalem stands in clear violation of relevant Security Council resolutions. Israel must not underestimate the devastating backlash which this hasty and provocative decision on East Jerusalem might unleash. This could throw the entire region back into a spiral of uncertainty and chaos. The international community is not ready to tolerate any situation that has been created deliberately to satisfy the objectives of domestic political aspirations in Israel.

Bangladesh therefore expresses its deep concern and deplores the illegal and provocative measures initiated by Israel, which may jeopardize whatever progress has been achieved in the ongoing peace process in the Middle East. Bearing in mind the special responsibility of the Security Council in respect of the overall peace process in the Middle East, it is our earnest hope that the Security Council will take urgent steps to ensure that the Israeli Government reverses its decision to build settlements in Jabal Abu Ghneim and desists from any settlement activity in the occupied territories in future.

The President: I thank the representative of Bangladesh for his kind words addressed to me. The next speaker is the representative of the Islamic Republic of Iran. I invite him to take a seat at the Council table and to make his statement.

Mr. Kharrazi (Islamic Republic of Iran): First of all, I wish to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I also wish to pay tribute to the Permanent Representative of Kenya for his excellent work during his presidency last month.

Today's meeting of the Security Council has been called to consider yet another instance of the old

ambitious and expansionist policy of the Israeli regime in the sensitive region of the Middle East. The notorious policy of building settlements in the occupied territories has been part of the grand design of the occupiers to change the basic characteristics of the Palestinian territories in order to perpetuate their occupation. This policy is being pursued in blatant contravention of international law and in open defiance of clear provisions of numerous United Nations resolutions, including those adopted by the Council itself.

Under the circumstances prevailing in the aftermath of the cold war, it is indeed very difficult to conceive that the violation of the most fundamental principles of international law could be perpetrated with such a sense of impunity. The only explanation seems to lie in the fact that Israel has realized that the Security Council is not prepared to live up to its commitments to stop aggression, thanks to the unqualified and continuous support of certain members who, at most and out of sheer embarrassment, express dissatisfaction with the atrocious Israeli practices in the occupied areas. Had the Council adopted concrete measures in the past to discharge its obligations effectively in the face of persistent Israeli intransigence, we would not have faced the present calamity.

The recent decision of Israel to build 6,500 housing units in Jerusalem is also designed to change the Islamic character of the city in the continuous process of judaization of Jerusalem, which is sacred to all Muslims. As the first *kiblah* of Muslims, Al-Quds Al-Sharif has a special place in the heart of every Muslim. Therefore, to presume that the illegal continuation of occupation, the imposition of demographic changes in Jerusalem as well as the daily harassment of the Muslim inhabitants of the city would erode the love and devotion of every Muslim to this Holy City is pure delusion and, as such, out of touch with reality and, in the final analysis, utterly impracticable.

History attests to the fact that Muslims have always comprised the majority of inhabitants in Jerusalem and any claim to the contrary is not only a mere fabrication of historical facts but an insult to human conscience. All of the Islamic countries are united on this position and the Organization of the Islamic Conference, which owes its *raison d'être* to the Muslims' response to an act of arson against the Al-Aqsa Mosque in Jerusalem, has always condemned the Israeli practices in Palestine and called for the liberation of the city of Al-Quds Al-Sharif.

The Security Council has the legal and moral responsibility to speak out against the violation of international law by the Zionist regime. The urgency of forceful action by the Security Council becomes all the more imperative in the light of the fact that the leaders of Israel are intent on building these new illegal settlements despite the outrage of the local inhabitants and condemnation from all over the world. Bearing in mind that Israel is creating a *fait accompli* throughout Palestine, particularly in Jerusalem, the Security Council should condemn in the strongest possible terms the decision of Israel to build new settlements in Jerusalem. It should also take the necessary measures in accordance with the Charter to reverse this decision. Only through the adoption of decisive and effective measures can the Security Council enhance its credibility. The Security Council is called to act at a time when the memories of the second Persian Gulf war and the way the Council handled that conflict are still alive. Therefore, in order not to be accused of further resort to double standards, the Security Council should act expeditiously and vigorously. The Israeli regime, shamelessly flouting international norms and principles and even its own commitments undertaken in bilateral agreements, deserves no leniency whatsoever.

The President: I thank the representative of the Islamic Republic of Iran for his kind words addressed to me.

The next speaker is the representative of Afghanistan. I invite him to take a seat at the Council table and to make his statement.

Mr. Farhadi (Afghanistan) (*interpretation from French*): In congratulating you most sincerely on your assumption of the presidency of the Council, Sir, I would also like to say that we know you personally and your ability successfully to guide the work of the Security Council in such an important and emotional debate as that under way. I would also like to pay tribute to Ambassador Mahugu of Kenya, the President for the month of February, who led the work of the Council with skill.

There is great concern throughout the world over the fact that Israel, the occupying Power, is initiating a new phase in its construction of settlements in the occupied territories. These steps are unlawful both in the south-eastern suburbs of the Holy City, adjacent to Arab Jerusalem — a territory occupied following a war — as well as in the occupied Syrian Arab Golan. Furthermore, these practices, as has been thoroughly explained here since yesterday, are doing great harm to the peace process. These are violations of article 49 of the Fourth

Geneva Convention of 12 August 1949 and to the many resolutions adopted by the Security Council that have been referred to by delegations that have spoken before me.

Yesterday afternoon, the representative of Israel concluded his statement by quoting the Bible. He gave us a rather brief summary of five paragraphs at the beginning of Chapter 8 of the Book of Zechariah.

The Lord does indeed talk about old men and women and small boys and girls living in Jerusalem. But at the end of that same chapter 8, verse 23 talks about people speaking different languages and belonging to different nations coming to Jerusalem to worship God. We must above all cite the words of the Lord in verse 17 of the same chapter of the book of Zechariah, which is the confirmation of a commandment:

> "And let none of you imagine evil in your hearts against his neighbour". *(The Holy Bible, Zechariah 8:17)*

The Koran, Holy Book and divine word for more than a billion Muslims, respects Jerusalem. In sura XVII, entitled "Children of Israel", verse 1, Al-Quds is the Holy City of three Abrahamic religions: Judaism, Christianity and Islam. According to verses 77 and 78 of sura XXII of the Koran, Abraham was not the spiritual ancestor of a nation, but of all believers, as God tells all the believers of all centuries and of all nations, "Abraham is your ancestor". The use of the word ancestor is therefore quite spiritual and goes far beyond the physical sense.

The question of Al-Quds Al-Sharif obviously concerns Palestinians, the great majority of whom are Muslims, though some are also Christians. The question concerns Arabs because Palestinians are Arabs. The Security Council has before it document S/1997/157, which contains a communiqué issued by the General Secretariat of the League of Arab States.

However, the question is also Islamic. The Council has before it document S/1997/182, which contains a letter from the Permanent Representative of Indonesia to the United Nations, who is the Chairman of the Islamic Group of the Organization of the Islamic Conference.

More than a quarter of a century ago, in 1969, following an act of arson that took place in the Al-Aqsa Mosque in Al-Quds Al-Sharif, the first summit of Islamic countries was held in Rabat, Morocco. I was present there as a member of the Afghan delegation, and I saw the intense devotion of the representatives of Islamic countries throughout the world to the question of Al-Quds. It is therefore the Islamic people of the world who, considering Al-Quds an Islamic city, are concerned today, and they number over a billion.

Christians throughout the world are also deeply concerned. The Muslims of the world also respect the holy places of Jews and Christians.

These facts are well known throughout the world. The problem under discussion is not at all local, but is important for a broad sector of humanity. Spiritual and religious rights are the most fundamental of human rights, even if they have been passed over in silence in the statements, conventions and other legal instruments internationally issued or adopted in the past half century.

About two years ago the Security Council debated this same subject. We have already recalled that resolution 465 (1980) of 1 March 1980 stated, over 17 years ago, that such measures taken by Israel led to a change in the physical character, demographic nature and institutional structures in the territories occupied by Israel in 1967, including East Jerusalem. These measures therefore have no legal validity and constitute a serious obstacle to the establishment of a just and lasting peace in the Middle East.

It is certain, as the experience of peoples has shown, that anyone who creates mistrust by building in the occupied territories is not building confidence, and that anyone who exploits its power as an occupier and tries to draw advantage from it jeopardizes the precarious stability of the peace process. At the same time, it moves towards the point of no return on the path of conflict and condemns its army to being for ever an army of intervention.

Anyone who confiscates the territories of the citizens of an occupied territory only stokes the victims' resolve to resist. Anyone who builds settlements in occupied territories is destroying at the same time any chance of reaching a period of lasting settlement, peace and tranquillity. Anyone who thinks of extending settlements in the occupied territories is further aggravating the situation for years to come. Anyone who insists on committing a series of actions that cause widespread upheaval and poison the atmosphere of the peace process is only choosing a policy of long-term confrontation.

The vital duty of the Security Council is to strengthen the foundations of the peace process. This duty is becoming very urgent at a time when the derailment of the peace process can be seen coming from miles away. The Council's action would not be valid if it were to end this debate in silence. There is immense and almost total agreement around this table. Delegations agree on almost all points. This enables the Council to take a stand while at the same time reconfirming its previous resolutions. Such an action would be useful for future efforts to renew the atmosphere of hope for peace, which is so important for the peoples of the Middle East.

In conclusion, the world impatiently awaits, at the end of this meeting, a firm and unequivocal resolution from the Council denouncing any action taken by the occupying Power that creates mistrust and confrontation, and clearly denouncing anything that creates an obstacle to the peace process or that might destroy the chances of viable coexistence between neighbouring peoples in the Holy Land. This would be the denunciation of an action that has already been condemned on many occasions, and the affirmation of the inadmissibility of the acquisition of land by force.

The President: I thank the representative of Afghanistan for the kind words he addressed to me.

The next speaker is the representative of Malaysia. I invite him to take a seat at the Council table and to make his statement.

Mr. Hasmy (Malaysia): Let me congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. I wish also to commend your predecessor, the Permanent Representative of Kenya, for his able stewardship last month.

The convening of this meeting is most timely in the wake of the decision of the Israeli Government to press ahead with its policy of expanding Jewish settlements in East Jerusalem. The decision to build yet another new illegal Jewish settlement, in Jabal Abu Ghneim, is a highly provocative — indeed, a highly irresponsible — act which could have serious negative repercussions on the current Arab-Israeli peace process.

Malaysia has followed the peace process with cautious optimism and was encouraged by the progress that had been made recently with the signing of the Hebron protocol. The signing of the protocol, which has led to the redeployment of Israeli forces from most parts of Hebron, has been widely regarded as a positive step towards the full realization of the long-awaited comprehensive and just settlement in the region based on relevant Security Council resolutions. It was the hope of the international community that the parties concerned would honour their commitments, show good faith and refrain from taking any measure which could undermine the process which had been so assiduously put together.

Regrettably, instead of building confidence and understanding, the Israeli Government has chosen to build new settlements in defiance of the Palestinian sentiments which have been clearly expressed on this issue. This controversial decision cannot but be seen as a brazenly provocative act. It is a flagrant violation of the Fourth Geneva Convention. It is a blatant contravention of the relevant resolutions of the Security Council and the General Assembly, including the ones adopted during the fifty-first session of the General Assembly. It is also a departure from the principle of land for peace as agreed to by the parties involved in the peace process, including Israel. Instead of strengthening the peace process and taking it forward, the Israeli decision can only undermine it and take it backward.

This is not the first time that the Israeli Government has resorted to such actions and tactics in pursuance of its own narrow political and strategic objectives. My delegation strongly condemns this latest Israeli measure and calls on the Israeli Government to rescind its decision and to desist in the future from taking any such unilateral actions which could undermine the still fragile peace process. My delegation would therefore urge the Council to pronounce itself in clear and unambiguous language on this important issue and to denounce the Israeli decision forcefully through a strongly worded resolution. Anything less than this would send the wrong message to the Israeli Government, which would be unfortunate indeed. In the view of my delegation, a strong resolution from the Council would not amount to interfering in the peace process; rather it would help ensure that the process is not derailed as a result of the irresponsible act of one of the parties.

My delegation cannot accept the policies and illegal measures taken by Israel in occupied East Jerusalem aimed at judaizing the city and changing its legal status and demographic composition to advance Israel's own political agenda. Jerusalem is of great spiritual importance not only to the Jews but also to the entire Islamic community throughout the world, and to Christians everywhere.

Clearly, by embarking on the expansion of Jewish settlements on Arab lands, the Israeli Government is pursuing a well calculated political outcome, oblivious to the views, sentiments and aspirations of the other, equally important, party to the negotiations, the Palestinians. By relentlessly pursuing its settlements policy, Israel intends to create a fait accompli and in doing so shows its arrogant take-it-or-leave-it attitude towards the peace process. The recent statement of Prime Minister Netanyahu reiterating Israel's absolute sovereignty over all of Jerusalem as the "eternal capital of the Jewish people which will never again be divided" typifies the uncompromising and brazen attitude of the present Israeli leadership, not the statesmanship that would have been more appropriate, and that is expected of it in the current delicate situation. This is a transparent and unambiguous attempt by Israel to preempt the outcome of the negotiations on the final status of Jerusalem by changing the legal status and demographic characteristics of that city. Clearly, this is against the letter and the spirit of the peace accords concluded between the two sides. Peace-building is an enterprise based on mutual trust, cooperation and partnership between the parties concerned. A partnership is not healthy and will not endure if one of the parties acts irresponsibly and tramples underfoot those things that are held dear by the other party. Unilateral acts of the kind pursued by Israel will not promote or sustain the peace process. Indeed, they raise questions about Israel's real commitment to peace.

In the face of this latest provocation by Israel, the Palestinian Authority should be commended for its exercise of self-restraint in avoiding untoward incidents, which could have easily broken out, and which still could. The Council should encourage this great exercise of self-restraint on the part of the Palestinian Authority and the Palestinian people by coming out with a clear resolution condemning, not condoning, the decision of the Israeli Government. At the same time, my delegation would urge the influential countries that brokered the peace agreement to exert every effort to ensure that the peace process stays on course.

The President: I thank the representative of Malaysia for the kind words he addressed to me.

The next speaker is the representative of Bahrain. I invite him to take a seat at the Council table and to make his statement.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): My delegation wishes at the outset to congratulate you sincerely, Sir, on your assumption of the presidency of the Security Council for this month. We are confident that your experience and skill will guarantee the success of the Council's work. My delegation must also thank His Excellency the Permanent Representative of Kenya for his exemplary work in guiding the work of the Council last month.

It was with grave concern that my country noted the decision of the Israeli authorities to build a 6,500-unit settlement in the Jabal Abu Ghneim area of south-east Al-Quds, with the objective of completing the ring of settlements encircling Arab Jerusalem.

The fact that Israel has taken a step of this nature is but a continuation of the illegal policies it pursues in the occupied Arab territories. These policies are in violation of all internationally binding resolutions and conventions pertaining to the demand that no settlements be constructed in these territories and that Israel should respect the legal status and the demographic composition of the city of Jerusalem.

It is noteworthy in this regard to recall the Hague Convention of 1907 and the provisions of the Fourth Geneva Convention of 1949, as well as the General Assembly resolutions that are relevant to the question of the Middle East and of Palestine. The fact that Israel has insisted on keeping the tunnel in Al-Haram Al-Sharif open is yet another clear example of its disregard for Security Council resolution 1073 (1996).

The city of Jerusalem has a very special character that distinguishes it from all other places in the world: its spiritual importance for all divinely revealed religions. The policy pursued by the Government of Tel-Aviv in altering the character of the city and its legal status is proof of the total disregard of the occupying Israeli authorities for the feelings of those who live in the city. With this policy, these authorities are attempting to complicate the legal status of the city in order to impose a *fait accompli* that would benefit them in the final-status negotiations on the city. One of the means of imposing such a *fait accompli* is through the establishment and expansion of settlements.

My delegation believes that any attempt by Israel to provide pretexts that would justify its measures will not affect the will of the international community nor its demand that Israel reverse these measures, which contravene the rules of international law and violate the relevant international resolutions. These resolutions explicitly proscribe the construction of settlements,

because this constitutes an alteration to the character of the city.

The other important consideration is the fact that these settlements are built on expropriated Palestinian lands. The pretext put forward by the Government of Tel-Aviv that such measures do not fall geographically within the city of Jerusalem is hardly convincing, because it is incompatible with the tangible geographical facts. To say that the Arabs in the area in which Israeli settlements are to be built will benefit as well is an unacceptable justification. A benefit cannot flow from an unjust and erroneous measure.

It is high time for Israel to honour its obligations under internationally binding instruments and under the relevant United Nations resolutions. Its Government must deal wisely and with clearsightedness with matters pertaining to the occupied Arab territories.

The Security Council must take a clear stance on the question of the continued establishment by Israel of settlements in the occupied Arab territories in general and in the city of Jerusalem in particular. The Council should demand that Israel reverse its recent decision to construct more settlements, in view of the fact that the establishment of such settlements is a threat to international peace and security because it hinders the achievement of a just and lasting peace in the Middle East.

We call upon the sponsors of the peace process to act so as to bring Israel to put an end to its settlement activities in the occupied Arab territories in general and Jerusalem in particular. Needless to say, the establishment of settlements directly and adversely affects the peace process in the Middle East. At a time when the Palestinian National Authority is called upon to show restraint and to stop all acts of violence in order to safeguard the peace process, the entire world is shocked by Israel's intention to build new settlements in the Holy City, thus provoking negative feelings and causing violence.

The negotiations continue to be frozen on both the Lebanese and the Syrian tracks with the continued occupation by Israel of the Lebanese and Syrian Arab lands. In view of the continuation of this unnatural situation, it is inexplicable that the Palestinian side should be called upon to show restraint while the Israeli side continues its provocations, which do not at all encourage such restraint. Furthermore, this is setting back peaceful negotiations, if not bringing them to a complete standstill.

All these considerations make it necessary to call upon Israel to rescind its decision to establish a settlement in Jabal Abu Ghneim and to desist from building further settlements, if the peace process is to regain its vitality. The Security Council bears a special responsibility in all this because it is the source of the internationally binding resolutions that have formed the basis for the peace talks, starting with the Madrid Conference and ending with the redeployment in Hebron and all actions that remain to be taken, foremost among which are the negotiations on the status of the city of Jerusalem — the city that is the focus of today's attempts to stop the construction of any further Israeli settlements.

The President: I thank the representative of Bahrain for the kind words he addressed to me.

The next speaker is the representative of Pakistan. I invite him to take a seat at the Council table and to make his statement.

Mr. Kamal (Pakistan): At the outset, let me congratulate you, Sir, on your assumption of the presidency of the Security Council. I am confident that under your talented and able guidance, the Council will be able successfully to fulfil its responsibilities during the current month. I should like also to take this opportunity to express my admiration for your predecessor, the Permanent Representative of Kenya, for the excellent manner in which he conducted the affairs of the Council.

It is with a sense of utmost concern that the Government of Pakistan views the recent decision by Israel to build a new settlement consisting of 600 housing units in the Jabal Abu Ghneim area of East Jerusalem. Israel has also kept open the tunnel extending under the Western Wall of the Al-Aqsa mosque, Al-Haram Al-Sharif. We were equally disturbed to learn that Israel has continued to isolate East Jerusalem from the rest of the West Bank by declaring it off-limits to Palestinians and withdrawing residence permits for the city's original Arab inhabitants. Pakistan strongly condemns all these actions, which constitute a blatant violation of the relevant resolutions of the Security Council and General Assembly, the Declaration of Principles and subsequent agreements.

The special significance of the Holy City of Al-Quds Al-Sharif for the international community in general and the Islamic Ummah in particular requires no elaboration. Israeli measures that are aimed at altering the legal status

and demographic composition of Jerusalem are illegal and invalid.

Israeli acts of provocation have once again shattered hopes that the peace process would lead to the early exercise by the Palestinian people of their right to self-determination through the establishment of an independent homeland. This would require the complete withdrawal by the Israeli authorities from all the occupied Palestinian and Arab territories, including the Holy City of Al-Quds Al-Sharif. Pakistan's support for the just struggle for the inalienable rights of the Palestinian people is well known. We have consistently stated that Security Council resolutions 242 (1967) and 338 (1973) continue to provide a viable and just framework for a durable and comprehensive settlement of the Palestinian question.

It is imperative that the peace process, arrived at through bold and courageous initiatives, not collapse. We fully share the expectations of the international community that there will be no attempt to derail the implementation of the agreements and accords concluded so far. The provisions of these agreements and accords must be sincerely complied with in both letter and spirit. We hope that the Israeli leadership will concede the realities on the ground and resolve all pending issues — including the immediate reversal of their alarming actions — with the Palestinian National Authority. We strongly urge the demonstration of the requisite flexibility and accommodation, as well as a sincere commitment to the achievement of a just, lasting and comprehensive peace that will ensure security and stability for all in the Middle East.

The Government and the people of Pakistan are deeply concerned at these latest actions by the Israeli authorities, which are seriously undermining the peace process. Pakistan urges the Security Council to uphold the just position taken by the Palestinians on the issue of Jerusalem, a position which is based on international law and justice. We also call upon the Council not only to take urgent measures to redress the current grave situation; which imperils the peace of the Holy City of Al-Quds Al-Sharif, but to prevent the further deterioration of the situation. We firmly believe that the Council has the duty to call upon the Israeli authorities immediately to end these unjust actions and to desist from taking similar actions in the future.

We are confident that the Security Council is conscious of the importance that is attached to Al-Quds Al-Sharif by the entire Muslim world and to the dangers inherent in allowing the prevailing resentment to fester.

The President: I thank the representative of Pakistan for his kind words addressed to me.

The next speaker is the representative of the Netherlands. I invite him to take a seat at the Council table and to make his statement.

Mr. Berteling (Netherlands): At the outset, allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March.

I have the honour to speak on behalf of the European Union. The following associated countries — Bulgaria, Cyprus, the Czech Republic, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — have aligned themselves with this statement. Liechtenstein has also aligned itself with it.

The European Union believes that there is no alternative to the peace process. The past year has witnessed many difficult moments in the implementation of the peace process, but also some positive developments. The European Union was pleased when, in January last, after long and arduous negotiations, an agreement was reached on the redeployment of Israeli troops from Hebron. The European Union hoped that the Hebron protocol marked one more important step on the road towards a just and stable peace in the Middle East and could provide the necessary momentum to reinvigorate the peace process. The European Union expressed the hope that the Hebron protocol would strengthen the atmosphere of mutual confidence, which is indispensable for the further implementation of the Oslo agreements.

The European Union remains deeply committed to the peace process. Peace in the Middle East is a fundamental interest of the Union. With a view to promoting and assisting the search for peace, the European Union has appointed Ambassador Moratinos as its special envoy to the peace process. Frequent visits by representatives of the European Union to the Middle East are a further indication of our interest in securing a peaceful settlement. The negotiations on Hebron were laborious, but their success offered hope for a renewal of the Israeli-Palestinian partnership for peace.

The European Union deeply deplores the decision of the Israeli Government to approve construction plans for Jabal Abu Ghneim/Har Homa on the West Bank in the Jerusalem area. This decision poses a threat to these

positive developments. The European Union has repeatedly stated that settlements in the occupied territories contravene international law and pose a major obstacle to peace.

The European Union again reaffirms its policy on the status of Jerusalem. East Jerusalem is subject to the principles set out in Security Council resolution 242 (1967), notably the inadmissibility of the acquisition of territory by force, and is therefore not under Israeli sovereignty. The European Union considers that the Fourth Geneva Convention is fully applicable to East Jerusalem, as it is to other territories under occupation.

The Har Homa construction plans contain the building of a settlement on the West Bank within the municipal boundaries of Jerusalem, unilaterally expanded by Israel. The call by Prime Minister Netanyahu for the

> "new construction initiative throughout the Arab neighborhoods of Jerusalem, which will entail the building of 3,015 new housing units for Arab residents of the city"

does not change the European Union's rejection of the decision on Har Homa.

We note that the building of houses for the Palestinian population of the city since 1967 has remained far behind housing projects for the Jewish population. The European Union has stated repeatedly its concern that the Palestinians of East Jerusalem continue to be subject to several unacceptable restrictions.

In the interests of the peace process, the European Union calls upon all parties to observe the utmost restraint regarding issues that could prejudge the outcome of the final status negotiations. We therefore greatly regret actions taken by the Government of Israel, such as the annexation of land, the demolition of houses, new settlement construction and the expansion of settlements.

The European Union believes that the upcoming redeployment must be credible in terms of territory handed over to the Palestinian National Authority. Anything else might have serious implications for the peace process.

The European Union remains firmly of the view that the peace process is the only path to security and peace for the Palestinians as well as for Israel and the neighbouring States. The European Union calls upon Israel to respect its obligations under international law and once again appeals to the Israeli Government to refrain from building the new settlement in Har Homa and to respect the rights of the Palestinians. To do otherwise would not be conducive to a climate in which rapid and substantial progress in the peace process can be achieved.

The European Union confirms its attachment to such a process and its readiness to participate and assist in every way possible in order to achieve the long-awaited objective of a just, comprehensive and lasting peace.

The President: I thank the representative of the Netherlands for his kind words addressed to me.

The next speaker is the representative of the Oman. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Khussaiby (Oman): Allow me at the outset to seize this opportunity to extend to you, Sir, and to your friendly country, Poland, our sincere congratulations on your assumption of the presidency of the Security Council for the current month and to express our confidence in your diplomatic skills, which will lead the deliberations of this body to a successful outcome. May I also avail myself of this opportunity to pay a special tribute to your predecessor, Ambassador Mahugu of Kenya, for the exemplary manner in which he steered the work of the Council in the month of February.

After the signing of the historic peace agreements between Israel and the Palestinian Authority, a new hope touched the hearts of millions of people in the Middle East: a hope for peace, tranquillity, stability, harmony and coexistence, marking a new beginning for this war-ravaged region.

My country, along with many other peace-loving nations such as your own, Sir, spared no effort to strengthen the foundation of this peaceful trend in order to make it more solid and sustainable. Unfortunately, sweet hopes are never lasting and we are here once again resorting to the Security Council for guidance and action to salvage what might be damaged by one of the parties to and partners of the peace process.

It is quite comforting at times to listen to some of the statements issued by the Israeli Government concerning how peace ought to be articulated and agreement implemented. But at the same time, it is shocking to view the record of this Government in translating its words into actions. In fact, the latest decision of the Government of Israel to built new

settlements in East Jerusalem in the area of Jabal Abu Ghneim is not only counter-productive, but a flagrant breach of the agreed principles of the peace process and of the relevant Security Council resolutions, particularly resolutions 242 (1967), 252 (1968) and 338 (1973), which reaffirmed the illegality of all measures taken by Israel aimed at changing the demographic composition of the Holy City and its status.

Without a doubt, the question of Jerusalem is of particular importance and sensitivity to the overall settlement of the Middle East crisis, which is one of the major reasons why this whole question of determining the final status of Jerusalem was left aside for a while. Taking this decision now, in our opinion, will not only create a volatile situation, endangering the peace process, but will likely give extremist elements from both sides the opportunity to jeopardize it.

It is our view that this record needs to be straightened out once and for all with a clear, united message from this Council that would reaffirm its unreserved support for the peace process in accordance with the principle of land for peace and relevant Security Council resolutions. In our view, the latest decision of the Israeli Government is illegal and ought to be rejected categorically.

It was very encouraging to note that all the statements of the members of the Security Council expressed the view that settlements were dangerous to the peace process.

Peace is a two-way track and it is a contract that has been accepted and signed by the parties concerned. The least to be expected is the full implementation of and adherence to what has been agreed upon. If the Israeli Government believes that only the Palestinians should be expected to live up to Israeli expectations, then it is mistaken. It is about time, in our opinion, for this Israeli Government to live up to its commitment by refraining from such acts and to move forward in the peace process on all tracks.

Finally, I would like to conclude my intervention by reiterating my Government's support for the peace process and for a durable peace in the Middle East that will alleviate the suffering of the people of the region — a peace that will minimize the risk of confrontation and move beyond lip service to concrete steps.

We firmly believe that the Israeli Government's decision to build new settlements in East Jerusalem is, to say the least, wrong, illegal and above all, inconsistent with the spirit and objectives of the peace process. Therefore, once again, we call on the Israeli Government seriously to reconsider its decision and to act in a more responsible manner. If Israel truly believes in peace, this is the right time to prove and demonstrate it to the entire international community.

The Israeli policy on settlements in the occupied territories is a means of wasting time and prolonging the implementation of the principles of the peace process. This should not be allowed to happen. We appeal to you, Sir, and to the members of the Council to demonstrate your firm positions and to send a strong, collective message to the Israeli Government to reverse its latest decision.

The President: I thank the representative of Oman for his kind words addressed to me.

The next speaker is the representative of Canada. I invite him to take a seat at the Council table and to make his statement.

Mr. Karsgaard (Canada): Canada believes that only through negotiation can a just, lasting and comprehensive peace be achieved, based on Security Council resolutions 242 (1967) and 338 (1973). The agreement signed between the Government of Israel and the Palestine Liberation Organization (PLO) on 15 January, leading to the redeployment of Israeli forces from Hebron, was welcomed by Canada as an important step towards restoring momentum and confidence in the peace process.

Canada believes that the construction of a lasting peace requires that all parties refrain from unilateral actions that would prejudge the outcome of final status negotiations. In this regard, it is Canada's view that the recent decision of the Government of Israel to proceed with the construction of an Israeli settlement in Har Homa undermines the trust that is the very foundation of the peace process. While we acknowledge the stated commitment of the Israeli Government to issue new building permits for Arabs in East Jerusalem, this neither justifies the construction of an Israeli settlement in occupied territories nor lessens its impact on the peace process.

Canada views settlement activity as a violation of international law and harmful to the peace process. We call upon the Government of Israel to reconsider its decision to resume settlement activity in the West Bank

and East Jerusalem and to refrain from building housing for Israelis in Har Homa and elsewhere in the occupied territories.

On 27 September, Canada's Foreign Minister addressed the Security Council during its debate on resolution 1073 (1996). As we consider the issue before us today, Minister Axworthy's comments then bear repeating now: Building lasting peace requires building trust.

The President: There are a number of speakers remaining. In view of the lateness of the hour, and with the consent of the Council, I intend to suspend the meeting now.

United Nations S/PV.3745 (Resumption 1)/Corr.1

Security Council

Fifty-second Year

Provisional

3745th Meeting

Thursday, 6 March 1997, 10.30 a.m.

New York

Arabic, English and French only.

Page 15, first column, line 13

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Page 15, first column, line 22

Begin a new paragraph after Christianity and Islam.

97-85287 (E)

United Nations S/PV.3745 (Resumption 2)

Security Council

Fifty-second Year

Provisional

3745th Meeting
Thursday, 6 March 1997, 3 p.m.
New York

President:	Mr. Wlosowicz	(Poland)
Members:	Chile	Mr. Larraín
	China	Mr. Liu Jieyi
	Costa Rica	Ms. Incera
	Egypt	Mr. Elaraby
	France	Mr. Thiebaud
	Guinea-Bissau	Mr. Cabral
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Portugal	Mr. Soares
	Republic of Korea	Mr. Choi
	Russian Federation	Mr. Fedotov
	Sweden	Mr. Linden
	United Kingdom of Great Britain and Northern Ireland	Mr. Richmond
	United States of America	Mr. Wood

Agenda

The situation in the occupied Arab territories

97-85204 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one week of the date of publication*, to the Chief of the Verbatim Reporting Service, room C-178.

The meeting was suspended at 1.20 p.m. and resumed at 3.20 p.m.

The President: The next speaker is the representative of Morocco. I invite him to take a seat at the Council table and to make his statement.

Mr. Snoussi (Morocco) (*interpretation from French*): I would like at the outset to extend to you, Mr. President, the congratulations of the Kingdom of Morocco on your assumption of the presidency of the Security Council. I also take this opportunity to extend to your predecessor my country's compliments for the wise manner in which he conducted the work of the Council last month.

I would also like to offer you my sincere congratulations for having dealt expeditiously with the problem that has brought us together today: the decision of the Israeli Government to establish new settlements south-east of the Holy City of Al-Quds, the third Holy Place of the Muslim religion and the cradle of the three revealed religions.

We have once again been unpleasantly surprised by the decision of the Israeli Government to establish a new settlement on the Jabal Abu Ghneim hill, also known as Har Homa. We can readily imagine the negative effects that such a decision might have on a peace process that is already fragile but which we had dared think to be well under way.

There is no doubt that this decision is a flagrant violation of international law and of the various Security Council resolutions on Al-Quds, which prohibit any decision tending to alter its legal status, demographic composition and cultural nature.

From the standpoint of international law, everyone is aware that the status of East Jerusalem is exactly the same as that of the West Bank. This is an occupied territory to which applies the Fourth Geneva Convention, which prohibits the occupying Power, in this case Israel, from making permanent changes in the territory it occupies or from settling any part of its population on it.

Any intention of using this action to launch a new annexation campaign should be denounced by the entire international community, because it is a violation not only of a State's agreements, but also of its word. It represents a deliberate attempt time and time again to call into question the peace process and the protocols signed in Washington in full view of the entire international community.

As members know, the Arab Group at the United Nations, of which we are a part, unanimously condemned this decision and detailed in its letter its concerns and position in this regard. As they also know, the view of the Arab countries is dictated by legal and political reasons alike. We believe that the recent Israeli decision must be seen as a new defiance of the international community, since it threatens the fragile trust that we took so many years to build.

The Arab Inter-Parliamentary Union, which is headed by Morocco, also took the opportunity last Thursday to ask the Council to intervene immediately to prohibit Israel from implementing its settlement plan.

Furthermore, at a meeting held on 3 March, the Islamic Group of the Organization of the Islamic Conference expressed its deep concern about the unlawful measures taken by Israel and called upon the international community and the Security Council to take urgent steps to persuade the Israeli Government to rescind its decision and renounce all settlement activities in all the occupied Arab territories, particularly East Jerusalem.

Must I remind the Israeli authorities of the great effort that was necessary from countries of good will, such as my own, to stitch together this policy based on trust? Casablanca, Amman and Cairo were not mere conferences or simple meetings; they were truly giant steps that were taken following the signing of the Washington agreement. What the Israeli authorities seem to forget is that the capital that has been wasted will, unfortunately, be the most difficult to regenerate. Indeed, all those countries that had been hesitant are now telling us that they were right to hesitate. We told them that the Washington and Oslo momentum was under way and they eventually believed us. The international community hoped to see peace achieved with Syria and Lebanon. However, for equally inexplicable reasons, this peace has not yet come about.

The Israeli decision to establish new settlements, thereby seriously modifying the demographic composition of that area, came on the heels of the tunnel incident but before the recent Israeli decision to close four Palestinian offices in Jerusalem. It took endless cajoling and interventions for Israel finally to agree to sign the Hebron agreements. Arabs now remember this, too, as proof of bad faith.

My country deplores this blind attitude, just as it profoundly regrets the fact that the Israeli authorities are taking no account of either the impact of their own unfortunate actions nor of the harmful consequences these will have on the hopes we had so cherished.

The peace process was launched in a climate of confidence. However, we will now need several miracles, not just one, in order to convince all the parties concerned to embark once again on the path of genuine peace, as this peace is daily being called into question. We fear not only confrontations between Palestinians and Israelis, but also the doubts now being sown in the minds of Arabs with regard to the peace process for which all of us here have fought.

Israel, which once made communication its basic weapon, should today realize that international opinion is growing familiar with this new face of Israel, which through its reckless acts is now bringing to nought all the efforts made to achieve what was hailed as the event of the century.

The international community today cautions Israel and calls on it to show wisdom and respect for the commitments it has undertaken.

The Kingdom of Morocco, host country of the Al-Quds Committee, which is chaired by His Majesty King Hassan II, remains convinced that the Security Council, charged with the maintenance of international peace and security and the rule of law, is duty-bound to impose its will by compelling Israel to rescind its decision.

Let me quote His Majesty King Hassan II, who on the national holiday marking the anniversary of his coronation, on 3 March, said that

> "Peace cannot be built where feelings of frustration, hatred and fear remain".

Let us — let the Security Council — ensure that the decisions that the Council adopts remind Israel that no one can defy the international community, and that no one can enter into commitments one day and go back on them the next. Let us give our peoples the genuine peace for which so many generations have hoped. We must not play with fire: let us not foment hatred and fear among ourselves, for these are our worst enemies.

The President: I thank the representative of Morocco for the kind words he addressed to me.

The next speaker is the representative of Cuba. I invite him to take a seat at the Council table and to make his statement.

Mr. Nuñez Mosquera (Cuba) (*interpretation from Spanish*): I wish on behalf of my delegation to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. We also convey our appreciation to the Permanent Representative of Kenya for the manner in which he presided over the work of the Council last month.

Barely five months ago, on 27 and 28 September 1996, the Security Council met to discuss the situation in the occupied Arab territories. At a meeting with the participation of the Ministers of Foreign Affairs of a number of Member States, the Council adopted resolution 1073 (1996), in which it called for the immediate cessation by Israel of all acts which had resulted in the aggravation of the situation in the area and which had negative implications for the Middle East peace process.

Today the Council is meeting once again, and we note that resolution 1073 (1996) has yet to be implemented; to the contrary, the international community is witnessing a fresh escalation by the occupying Power, which is again jeopardizing the entire peace process in the region.

The decision of the Israeli authorities to establish new settlements in the southern part of East Jerusalem is yet another example of the obstacles being placed in the path of the peace process. These settlements, moreover, constitute a flagrant violation of the most basic rules of international law and run counter to the letter and the spirit of United Nations resolutions, including those of the Security Council itself, on the Arab-Israeli conflict and the Palestinian question; these resolutions continue to be completely ignored.

Once again, the Middle East peace process is in jeopardy, along with the fate of the occupied Arab territories. Once again, the United Nations must without delay take a firm stand against this challenge. The Security Council must act without delay and with unmistakable clarity to demand that Israel put an end to the construction of settlements in the occupied Arab territories in general and in Jerusalem in particular. The policy of modifying the legal status, demographic composition and geographical character of Jerusalem is unacceptable.

Cuba reiterates its firm position in favour of the return of all Arab territories occupied by Israel, and hopes that the Security Council will shoulder the responsibility entrusted to it under the Charter — and will do so with the same vigour and alacrity it has displayed with respect to other items it has considered.

The President: I thank the representative of Cuba for the kind words he addressed to me.

The next speaker is the representative of the Sudan. I invite him to take a seat at the Council table and to make his statement.

Mr. Erwa (Sudan) (*interpretation from Arabic*): I congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. We are well aware of the wisdom and skill you bring to bear in guiding the work of the Council. I also thank your predecessor, my brother, the Permanent Representative of Kenya, for the excellent way in which he led the work of the Council last month.

There is no doubt that a just and comprehensive peace in the Middle East is the goal of all peace-loving States, a goal which those countries seek to reach on the basis of the principles of justice and equity. The failure to live up to commitments entered into is inconsistent with a genuine desire for peace, and undermines efforts to achieve that peace. The destruction of the chances for a just, lasting and comprehensive peace owing to the practices of the Israeli forces of occupation in territory that does not belong to them constitutes one clear proof that occupation and peace are incompatible.

The decision taken by the Government of Israel on 26 February 1997 to build a new 6,500-unit settlement at Jabul Abu Ghneim in East Jerusalem — in occupied Palestinian territory — adjacent to lands expropriated in 1991 and 1992 is part of an Israeli policy to build a series of settlements encircling Al-Quds with a view to isolating the other Arab areas of the West Bank. The purpose is to judaize Al-Quds and to change its legal status and demographic composition, in contravention of Security Council resolutions, including resolution 478 (1980). Nor can we forget Israel's other systematic steps in the same direction, such as the opening of a tunnel west of the Al-Aqsa Mosque in Al-Quds, and the ensuing violent repression of innocent protesters.

Israel has not complied with Security Council and General Assembly resolutions; it has ignored international declarations and broken commitments it has itself undertaken; it continues to disregard the views of the international community. All of this reflects Israel's refusal to comply and its lack of respect for the peace process. It will inevitably lead to severe consequences with respect to the other States of the region and will have a negative effect on the peace process and on world peace and security.

Sudan expresses its concern over the steps taken by the Israeli Government. Based on the need to respect the international agreements, instruments and conventions concluded between the two parties and freely consented to by them, Sudan asks that the Security Council shoulder its responsibility fully and, in order to safeguard international peace and security, ask Israel to rescind its decision and put an end to any steps that might harm the city of Jerusalem, a city where the holy places of the faithful of three religions can be found.

For all these reasons, we must work together to preserve the special nature of that city, which is so dear to the hearts of all who cherish the holy places and who are imbued with the spirit of peace. That is why the Council must adopt specific, concrete measures to compel Israel to go back on its decision and to put an end to any steps that might constitute acts of provocation in the occupied Arab territories, including Jerusalem, the occupied Syrian Golan and occupied southern Lebanon.

Sudan, on the basis of its solidarity with the struggle of the Palestinian people for their inalienable rights and for justice, and to strengthen the right to justice and fairness, asks the Council to shoulder its responsibility and not adhere to a double standard, and to strengthen its credibility by working to implement the resolutions relevant to the Israeli-Arab conflict, with the goal of achieving a just and comprehensive peace. This is the only way to guarantee stability in the region and throughout the world.

The President: I thank the representative of the Sudan for the kind words he addressed to me.

The next speaker is the representative of Qatar. I invite him to take a seat at the Council table and to make his statement.

Mr. Al-Khalifa (Qatar) (*interpretation from Arabic*): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I wish also to congratulate your predecessor, Ambassador

Mahugu, on his excellent performance last month. Finally, I should like to thank you for convening this important meeting at the request of the Group of Arab States.

This is a critical time. The occupied Palestinian territories once again face an extremely grave situation, which is seriously endangering the Middle East peace process. The Israeli Government's decision to build a new settlement of 6,500 housing units in Jabal Abu Ghneim is a deliberate attempt to cut off Arab East Jerusalem from the remainder of the Palestinian West Bank. It is a move calculated to alter the legal status and demographic composition of Jerusalem. This is a new development in a disturbing pattern of decisions and actions aimed at imposing a *fait accompli* prior to the opening of final-status negotiations this month.

Since coming to power, the present Israeli Government has acted to strip the peace process of its content. It has even exploited the process to serve its own political objectives. First, it announced that it would not be bound by agreements signed by the previous Government and the Palestinian National Authority. Then it ruled out any compromise on East Jerusalem or on a Palestinian state. It has repeatedly delayed withdrawal from occupied areas, and in September 1996 its decision to open the tunnel under the Western Wall of the Al-Aqsa Mosque precipitated a well-known crisis, which led to serious violence. The decision to build this settlement is yet another step in a premeditated policy of creeping annexation of Arab lands.

As Chairman of the Group of Arab States for this month and on behalf of my own country, I should like to express to the Security Council our outrage and dismay at this arrogant move, which undermines the basic principle of land for peace that was agreed to at the Madrid Conference. We strongly condemn this decision by the Israeli Government. It is a decision that constitutes a flagrant violation of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (1949). It is also a serious infringement of United Nations resolutions and flouts numerous relevant resolutions of the Security Council. In this respect, we should like to recall resolution 242 (1967), which calls on Israel to withdraw from all Arab territories occupied in 1967, and resolution 252 (1968), which declares that all legislative and administrative measures taken by Israel, including the expropriation of land and properties, that alter the status of Jerusalem are null and void, and calls upon Israel to rescind all such measures taken and to desist from further actions affecting the status of Jerusalem.

In the same context, we would recall Security Council resolution 446 (1979), which determines that the Israeli policy of establishing settlements in the territories occupied since 1967, including Jerusalem, constitutes a serious and illegal obstruction to achieving peace in the Middle East. The resolution calls once more upon Israel to desist from taking any action which would result in changing the legal status and geographical nature and materially affecting the demographic composition of the Arab territories occupied since 1967, including Jerusalem.

We would like also to recall a series of resolutions in which the Security Council deplored Israel's refusal to comply with international law, as well as the Council's repeated calls to Israel to abandon its intransigent and expansionist policies. These resolutions include 267 (1969), 271 (1969), 298 (1971) and, in particular, resolution 476 (1980). This resolution asserts that the application by Israel of the so-called basic law on Jerusalem is a violation of international law; it affirms the applicability of the fourth Geneva Convention to all the territories occupied by Israel since 1967; and it rejects Israel's claim to Jerusalem, along with other actions by Israel that alter the status of Jerusalem. Furthermore, settlement activities violate the 1993 Oslo accords and the 1995 Interim Agreement between Israel and the Palestinian National Authority on the territories occupied since 1967.

For the past five years, there has been a genuine movement forward towards the achievement of a lasting peace in the region. We have witnessed progress, from the Madrid Conference on to Oslo on to the peace agreement with Jordan. Our hopes for the future were raised by three economic conferences on the Middle East and North Africa, held in Casablanca, Amman and Cairo, respectively. A fourth conference is scheduled to be held in Doha, the capital of Qatar, this year. The goodwill, dedication and courage invested by those committed to achieving peace must not be squandered. This reckless move highlights the lack of Israeli commitment to the peace process and threatens to reverse all our efforts.

It is the responsibility of the international community and of the co-sponsors of the peace process to ensure that Israel complies with all its commitments. Furthermore, we want this debate in the Security Council to send a clear-cut message to the Israeli Government that its persistent policy of building settlements and delaying the implementation of existing agreements is categorically unacceptable.

In conclusion, I would like, on behalf of the Arab Group and my country, to express my appreciation to those representatives who declared their Governments' rejection of the Israeli decision, which violates international legality and constitutes an obstacle to peace in the Middle East.

Proceeding from genuine concern for the future of peace, we call on the Council to take the necessary actions to ensure that no settlement activities will be implemented in the occupied Arab territories, including in the Holy City of Al-Quds/Jerusalem, and in particular to ensure that the Israeli decision to establish this settlement at Jabal Abu Ghneim will not be implemented, so that the resolutions of the Security Council will be upheld and the peace process preserved.

The President: I thank the representative of Qatar for the kind words he addressed to me.

The next speaker is the representative of Argentina. I invite him to take a seat at the Council table and to make his statement.

Mr. Petrella (Argentina) (*interpretation from Spanish*): Allow me, Sir, to convey our best wishes for success in your term as President of the Security Council for the month of March. Allow me also to congratulate you for convening this formal meeting and to convey the warm feelings that Argentines have for Poland, a country to which we are linked by strong ties of friendship and cooperation. Likewise, I am pleased to extend our appreciation to the Permanent Representative of Kenya for his outstanding leadership of the Council last month. The work of Ambassador Mahugu not only does credit to him and to Kenya but also lends prestige to the developing world.

My delegation is taking part in this Security Council debate with renewed sadness and concern. After only five months, the organ with the ultimate responsibility for world peace and security is obliged to meet to urge the parties not to depart from the peace process.

In the resolution of any conflict, the antagonists must be parties to the peace process. That role not only carries obligations but also calls for specific attitudes, such as not altering the climate of understanding necessary to move ahead in any negotiation.

The decision of the Israeli Government to build settlements in East Jerusalem is viewed with the greatest concern. Argentina shares that feeling, and we hope that Israeli politicians will reflect on the consequences that these measures are having on the future of the peace process. The settlements in occupied territories run counter to international law and run counter to resolutions adopted by this Council in the past.

Much progress has been made toward peace in the Middle East, and many lives have been sacrificed in that cause. Accordingly, the efforts and commitments of the international community should not waver but should rather grow stronger. We hope that at this stage the Israeli Government will refrain from adopting decisions that can lead to altering the de facto situation in Jerusalem or to hampering the success of the negotiations on the final status of that city. We should all be aware of the importance that Jerusalem has for the various cultures that have been a part of its history.

As was stated by the Minister for Foreign Affairs for Argentina, Guido Di Tella, in the previous debate on the situation in the occupied Arab territories:

> "The security of peoples depends on moderate policies, and certainly not on extreme formulas of any kind". *(S/PV.3698 (Resumption 1), p. 24)*

Today, once again, we feel at one with those States that are committed to the cause of peace, which wish to give their support to the negotiating process that began in 1992, and want to preserve the climate of understanding that is required for that purpose.

The President: I thank the representative of Argentina for the kind words he addressed to me.

The next speaker is the representative of Brazil. I invite him to take a seat at the Council table and to make his statement.

Mr. Valle (Brazil): I would like, first of all, to congratulate you, Ambassador Wlosowicz, on your assumption of the presidency of the Council for the month of March. We are confident that under your skilled guidance the work of the Security Council will be conducted with great efficiency. Let me also take this opportunity to thank your predecessor, Ambassador Mahugu, for the competence with which he presided over the Council during the month of February.

In recent years a lot has been done to bring peace to the Middle East. From the Madrid Conference of 1991 to the Declaration of Principles signed in Washington in

1993, from the Agreement on the Gaza Strip and the Jericho Area of 1994 to the Agreement on the Preparatory Transfer of Powers and Responsibilities of 1994, many milestones in the direction of the attainment of a durable peace have been established.

However, we have had to face occasional obstacles which stand in the way of the realization of our best hopes. The peace effort is a confidence-building process. Parties to this process should refrain from any action or measure which could lead to mistrust and to a gradual erosion of a carefully and laboriously designed peace process, jeopardizing the intense efforts which have been made. In this context, it is with concern and apprehension that we witness the latest developments related to the decision to initiate new settlement activities in East Jerusalem.

The Brazilian Government wishes the parties involved in the peace process to immediately resume the positive track of dialogue and compromise, on the basis of agreements already reached and observing legal obligations and responsibilities under universally accepted international instruments. Only through the renewal of mutual trust among the parties will it be possible to surmount this difficulty while continuing to strive for durable peace in the region.

The President: I thank the representative of Brazil for the kind words he addressed to me.

The next speaker is His Excellency Mr. Engin Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure. I invite him to take a seat at the Council table and to make his statement.

Mr. Ansay (Organization of the Islamic Conference): I would like, Sir, to extend to you my warmest congratulations on your assumption of the presidency of the Security Council for this month. We are confident that your rich experience and known professional skills will serve the Council well in the successful discharge of the very complex task currently facing it. If the cordial relations that have historically existed between your country and the country I come from prevailed among the nations today, we would all be living in a much less troublesome world.

I should like to take this opportunity also to thank your predecessor, Ambassador Mahugu, the Permanent Representative of Kenya, for his able performance in steering the work of the Council during the month of February.

On behalf of His Excellency Mr. Laraki, Secretary-General of the Organization of the Islamic Conference (OIC), I thank you for giving me the floor to address the Council on the situation in the occupied Arab territories.

At the outset, let me say, as I have said before, that I wish I were taking the floor under better, instead of what have become bitter, circumstances. For we in the OIC joined forces with the international community in supporting the peace process in the Middle East in full measure, despite some of the disadvantageous elements that the relevant agreements contained affecting Palestinian interests. We were even beginning to feel hopeful about the future of peace in the area because of those few achievements that had already emerged during the early stages of the implementation of the Oslo accords. We were very pleased, last January, when agreement was finally reached on the redeployment of Israeli troops from Al-Khalil, and we were prepared to continue to lend our full support to the attainment of the agreed goals and objectives of the peace process.

Regrettably, our hopes, together with those of well-wishers in the international community, have been shattered by the unfortunate turn of events in Palestine, the responsibility for which must lie with Israel and Israel alone. The turmoil has been brought about by an accumulation of violations of various elements of the peace agreements by Israel, and the Israeli decision on 26 February 1997 to build a new settlement in Jabal Abu Ghneim in East Jerusalem. The latter constitutes the latest attempt by Israel to preempt the outcome of the negotiations on final status by changing the legal status and demographic composition of Jerusalem/Al-Quds Al-Sharif, a city that is of central importance to the Arab and Muslim worlds, as it is the first *kiblah* and the third holiest city of Islam, to the three major religions, and to the international community at large. The Israeli decision not only violates the relevant resolutions of the Security Council and the General Assembly, the Declaration of Principles and subsequent agreements, but threatens to undermine the progress that has been achieved in the Middle East peace process.

In this regard, the Islamic Group at the United Nations, at its meeting held on 3 March 1997, called on the international community, including the Security Council, to take urgent steps to ensure that the Government of Israel reverses its decision and renounces

all settlement activity in all the occupied Arab territories, in particular in East Jerusalem.

In the spirit of our solidarity with the peace process in the Middle East, we condemn this latest decision by the Israeli Government concerning East Jerusalem, just as we condemned the opening of the tunnel under the western wall of the holy Al-Aqsa Mosque.

I would like to take this opportunity to reaffirm the position of the OIC that a comprehensive and lasting peace in the region cannot be achieved without the full implementation of Security Council resolutions 242 (1967) and 338 (1973) which, *inter alia*, emphasize that Jerusalem is part and parcel of the territories occupied since 1967.

In this context, we in the OIC would like to request the Council to implement all of its relevant resolutions, including resolutions 252 (1968), 267 (1969), 465 (1980), 476 (1980), 478 (1980) and 1073 (1996), all of which concern Jerusalem; to take all necessary measures to prevent Israel from altering the geographical and demographic status of Jerusalem; and to prevent it from taking any action that in any way affects the status of Jerusalem, the final status of which is to be discussed in the subsequent stages of the peace process.

We would like the Council to take the necessary measures to bring an end to the continuation of Israeli expansionism and settlement policies in the occupied Palestinian and Arab territories, including Jerusalem, and for it to consider all these Israeli policies and practices as violations of all relevant United Nations resolutions, of international agreements, especially the Fourth Geneva Convention of 1949, and of international law.

We would also like to request the international community to persuade Israel to lift the siege around Jerusalem and to stop the implementation of all decisions and practices that adversely affect the interests of the Palestinian people, especially the confiscation of Palestinian lands, the demolishing of Palestinian properties and houses, and the withdrawal of identity cards issued to Palestinians, designed to expel them from Jerusalem. We also request the international community to prevent Israeli excavations around the Al-Aqsa Mosque and to make Israel cease forthwith the violations of Islamic and Christian holy places in Jerusalem.

In conclusion, I would like to assure this Council, through you, Mr. President, that as soon as the necessary measures to restore peace and security in the area have been undertaken, improving the environment for the resumption of the peace process, the OIC and its 54 member States, representing the very serious concerns of more than one billion Muslims all over the world, will also reaffirm their wholehearted support for the peace process, in fulfilment of their collective desire to see peace and tranquillity return to the area.

The President: I thank Mr. Ansay for the kind words he addressed to me.

The next speaker is the representative of Colombia. I invite him to take a seat at the Council table and to make his statement.

Mr. García (Colombia) (*interpretation from Spanish*): I should like, at the outset, to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of March. I should like also to extend our congratulations to Ambassador Mahugu of Kenya for the very able manner in which he conducted the business of the Council last month.

My delegation has anxiously watched the development of the Middle East peace process, especially the most recent events. Despite undeniable strides made in recent years, the fate of the process is still a source of concern, as the road to full independence and self-determination for the Palestinian people is at a critical juncture. We saw the recent signing of the agreement on Hebron as an important step towards the definition of a conclusive peace settlement that would include the status of Jerusalem, legal settlements and refugees. Today, unfortunately, we are forced to acknowledge a different situation that strains the atmosphere of the process and constitutes a further obstacle to the consolidation of peace in the region.

As the international community has stated, and as has been made clear today, the policy of settlements in the occupied territories constitutes a serious obstacle to peace. Insistence upon the creation of *faits accomplis* on matters as essential to the forthcoming permanent status negotiations as Jerusalem and the settlements can be interpreted as a desire to prejudge the result of the negotiations, and thus inevitably and seriously affect the climate of trust so urgently needed for the peace process.

It is fitting to recall today what was said on the subject of Jerusalem by the Heads of State or Government of the 113 countries members of the Non-Aligned Movement at the Cartagena Summit in 1995. They

expressed their unqualified support for the legitimate struggle of the valiant Palestinian people to guarantee respect for its inalienable right to self-determination and independence and reiterated the demand that Israel withdraw from all occupied Arab and Palestinian territories, including Jerusalem.

The Heads of State and Government also expressed regret at Israel's decision to confiscate Palestinian lands and properties in Jerusalem and its attempts to alter the religious and historical character of the Holy City. In that regard, they endorsed all the Security Council and General Assembly resolutions on Jerusalem and deemed null and void all Israeli actions that run counter to those resolutions. They also called for the complete and scrupulous implementation of the agreements, in particular the provisions contained in Security Council resolutions 242 (1967), 338 (1973), 465 (1980), 478 (1980), and underscored the need for the mechanism dealing with the question of Palestine established by the General Assembly to continue to function effectively. They then expressed their support for the appeal made by the Jerusalem Committee at its meeting in Ifrane, Morocco, in January 1994 to the Security Council, and especially to the two sponsors of the peace process to take the necessary measures with a view to demanding that Israel refrain from establishing settlements, Judaizing the Holy City of Jerusalem and making any geographic or demographic change to the city. Israel was also asked to comply with the agreements and conventions on the preservation of Palestinian institutions and the Islamic and Christian holy places in the Holy City of Jerusalem, in keeping with the relevant resolutions of the Security Council.

On 25 September 1996, in this city, the Ministers for Foreign Affairs of the member countries of the Non-Aligned Movement met during the fifty-first session of the General Assembly to commemorate the thirty-fifth anniversary of the founding of the Non-Aligned Movement. In their joint communiqué, the Ministers for Foreign Affairs and Heads of delegations expressed their concern at the deterioration of the situation in the region, and particularly at the difficulties encountered by the peace process. They expressed their unconditional support for the legitimate struggle of the Palestinian people to secure their inalienable rights to self-determination and independence and reiterated their appeal that Israel withdraw completely from all the Palestinian territories and other occupied Arab territories, including Jerusalem.

To conclude, my delegation wishes to reiterate its support for the peace process in the Middle East and to urge the Security Council to adopt measures conducive to respect for international law with a view to the establishment of comprehensive peace and common prosperity in the region.

The President: I thank the representative of Colombia for the kind words he addressed to me.

The next speaker is the representative of the Philippines. I invite him to take a seat at the Council table and to make his statement.

Mr. Mabilangan (Philippines): Allow me to extend to you, Sir, my congratulations on your assumption of the presidency of the Council and to pay tribute to your predecessor, the Permanent Representative of Kenya, for his successful term.

The Philippines expresses its deep concern about the Israeli Government's decision to proceed with construction in the eastern part of Jerusalem/Al-Quds.

This action, sadly, is not in conformity with the spirit of dialogue and reconciliation which has otherwise characterized the tenor of relations between the Governments of Israel and Palestine as they engage themselves in the Middle East peace process. Let us recall the great progress made between Israel and Palestine in the peace process, with the joint Declaration of Principles signed in 1993, the Interim Agreement of 1995 and, more recently, the Hebron protocol, concluded just two months ago. We are most anxious that this recent development may and will pose a serious obstacle to the final status negotiations scheduled to commence in the next few weeks.

The Philippines has long held that the Holy City of Jerusalem is the sacred treasure of the faithful of Christianity, Islam and Judaism. Thus, there is no room for unilateral action with respect to the administration and development of the city. We reiterate our view that further settlement in the occupied territories in Jerusalem is contrary to the spirit and intent of the agreements concluded between the Israeli and Palestinian authorities.

For its part, the Philippines has learned from its own experience that parties to a peace process must at all times have mutual consideration for each other's interests, as well as a sincere willingness to make sacrifices for the greater good. There certainly can be no greater good than a secure and lasting peace.

The Philippines joins the Secretary-General and the global community, which has spoken with unanimity in this Chamber, in urging the Israeli Government to reconsider its decision in the interest of peace for all peoples in the region. The Philippines reiterates its unwavering support for the inalienable rights of the Palestinian people, as expressed in our consistently voting in favour of all resolutions pertaining to Palestine in the General Assembly.

The Philippines also renews its call for the implementation of the resolutions on the Middle East situation and the occupied territories enacted in this very Chamber, particularly Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and for the successful conclusion of the peace process bravely embarked upon by the Israeli and Palestinian peoples and their neighbours. Though the path may be arduous, let us continue to move forward.

The President: I thank the representative of the Philippines for the kind words he addressed to me.

The next speaker is the representative of Malta. I invite him to take a seat at the Council table and to make his statement.

Mr. Pace (Malta): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council. Our congratulations also go to the outgoing President for the excellent manner in which he presided over the Council.

Peace has been the long-desired goal of the international community. It requires of us all a demonstrable commitment to the ideals enshrined in the Charter of the United Nations and respect for the various proclamations by both the Security Council and the General Assembly on the various items which have been the subject of deliberations in this Organization.

The issue under consideration today is not new; nor is it one to which the international community has failed to respond. It touches on the very nerve of a process which has taken root in recent years; it threatens to undermine the arduous path to peace. The Middle East has been blessed with hope for a different future, one in which communities and generations can live together in confidence and mutual trust.

Actions which contravene the very spirit on which the peace process has embarked cannot but be strongly deplored. The recent decision by the Government of Israel to undertake the construction of new housing units in the Har Homa/Jabal Abu Ghneim area of East Jerusalem not only impacts on the more immediate consequences arising from such actions, but will have long-lasting repercussions on the ability to achieve a just and lasting peace in the region.

The recent Hebron accord is a signal by the parties of their willingness to build peace. As stated by my Deputy Prime Minister and Minister for Foreign Affairs in a letter to Prime Minister Netanyahu and President Arafat on the signing of the accord,

> "This historic accord is yet another manifestation of the fact that quiet diplomacy succeeds where other measures, in failing, leave only pain, disappointment and bitterness".

The decision taken on the construction of new housing units stands in stark contradiction to this spirit. It contravenes the relevant resolutions of the Security Council and the General Assembly, as it seeks to change the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, and it contravenes the fourth Geneva Convention of 1949. The status of East Jerusalem remains subject to the principles enshrined in Security Council resolution 242 (1967), notably the inadmissibility of the acquisition of territory by force.

The Government of Malta joins the rest of the international community in calling on Israel to demonstrate the resolve required in sustaining the momentum achieved in the past years and days, and to rescind its decision. Any change to the status of Jerusalem prejudges the final status negotiations and could lead to the reversal of a process of peace.

Malta joins others who have called on the leaders in the region and beyond for a recommitment to the objectives of peace. It is through the committed courage of leaders that peoples may come to reap the benefits of peace — a peace which we hope can become a reality for the generations of Israelis and Palestinians who have lived under the shadow of mistrust for too long.

The President: I thank the representative of Malta for the kind words he addressed to me.

There are no further speakers on my list.

I would like to take this opportunity again to thank representatives for their kind words addressed to Ambassador Mahugu and to me in the course of this debate.

The next meeting of the Security Council to continue the consideration of the item on the agenda will be fixed in consultation with the members of the Council.

The meeting rose at 4.25 p.m.